

ORDINANCE NO. 3854

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, CORRECTING ORDINANCE NO. 3789, WHICH ANNEXED AND ZONED BC APPROXIMATELY 34.02 ACRES OF REAL PROPERTY LOCATED AT THE SOUTHEAST CORNER OF NORTH MIDLAND BOULEVARD & WEST CHERRY LANE INTO THE CITY OF NAMPA, CANYON COUNTY, IDAHO AND WAS SUBJECT TO A DEVELOPMENT AGREEMENT TO CORRECT THE LEGAL DESCRIPTION SET FORTH ON EXHIBIT A OF SAID ORDINANCE NO. 3789 AND IN THE DEVELOPMENT AGREEMENT TO WHICH THE SAME WAS MADE SUBJECT, AND DIRECTING THE CITY ENGINEER TO ALTER THE USE AND AREA MAP ACCORDINGLY.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NAMPA, IDAHO:

Section 1: That the Exhibit A legal description for the real property the subject of Ordinance No. 3789 and as set forth in the Development Agreement to which Ordinance No. 3789 was made subject is incorrect and needs to be corrected.

Section 2: That the correct legal description for the real property the subject of Ordinance No. 3789 and the Development Agreement to which Ordinance No. 3789 was made subject, and all thereof, is attached hereto as Exhibit A1 and is, by this reference, incorporated herein as if set forth in full.

Section 3: That the zone designation of BC shall apply to the corrected legal description of the property so annexed as described on Exhibit A1.

Section 4: That the Development Agreement to which Ordinance No. 3789 was made subject is hereby amended to reflect the corrected legal description set forth on Exhibit A1, which is incorporated herein by this reference.

Section 5: That the City Engineer is hereby directed to alter the Use and Area Map in accordance with this Ordinance.

PASSED BY THE COUNCIL OF THE CITY OF NAMPA, IDAHO, THIS 17th DAY OF February, 2009.

APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS 17th DAY OF February, 2009.

Approved: [Signature]
By: [Signature]
Mayor

Attest: [Signature]
By: [Signature]
City Clerk

RECEIVED

FEB 26 2009

TECHNICAL SUPPORT

NAMPA CITY OF
REQUEST TYPE [Signature]
FEE [Signature]

2009 FEB 20 PM 2 40
WILLIAM W. HENST
CANYON COUNTY RECORDER
[Signature]

RECORDED

2009008191

State of Idaho )

Canyon County )

On this 17th day of February, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Tom Dale and Diana Lambing known to be the Mayor and City Clerk, of the City of Nampa, Idaho, a municipal corporation, who executed the foregoing instrument.

In Witness Thereof, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.

Julie Lockey  
Julie Lockey  
Residing at: Nampa, Canyon County, Idaho  
My Commission Expires: 05/11/2011



**EXHIBIT "A"**

**LEGAL DESCRIPTION FOR ANNEXATION  
FOR A PORTION OF CHERRY LANE**

A parcel of land for public right-of-way located in the SW ¼ of the SW ¼ of Section 4, and in the NW ¼ of the NW ¼ of Section 9, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

**Commencing** at the Northwest corner of the NW ¼ of the NW ¼ of said Section 9, thence running along the North line of said NW ¼ of the NW ¼ South 89° 40' 33" East, a distance of 57.63 feet to the **POINT OF BEGINNING**;

Thence North 00° 41' 43" East, a distance of 40.00 feet to a point on the northerly right-of-way of Cherry Lane;

Thence South 89° 40' 33" East along the northerly right-of-way of Cherry Lane, a distance of 370.14 feet to a point;

Thence South 00° 40' 52" West, a distance of 40.00 feet to a point on the north line of the NW ¼ of the NW ¼ of said Section 9;

Thence South 00° 55' 18" East, a distance of 25.00 feet to a point;

Thence South 89° 44' 14" East, a distance of 159.35 feet to a point;

Thence South 08° 19' 53" East, a distance of 35.35 feet to a point on the southerly right-of-way of Cherry Lane;

Thence South 89° 44' 14" West along the southerly right-of-way of Cherry Lane, a distance of 535.15 feet to a point;

Thence North 00° 06' 42" East, a distance of 63.79 feet to the **POINT OF BEGINNING**.

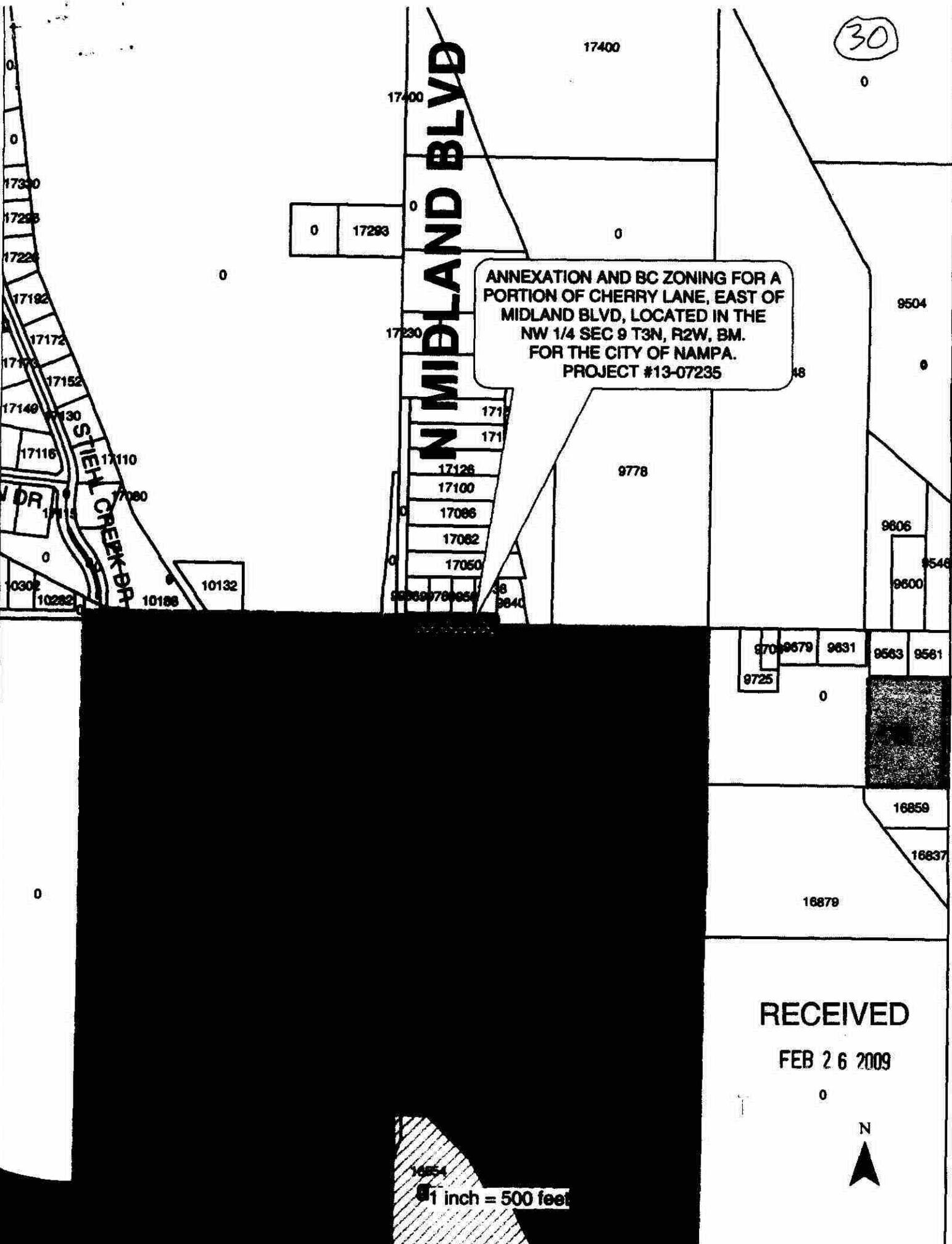
Containing 1.00 acres more or less.

Subject to any rights-of-way or easements of record or implied.

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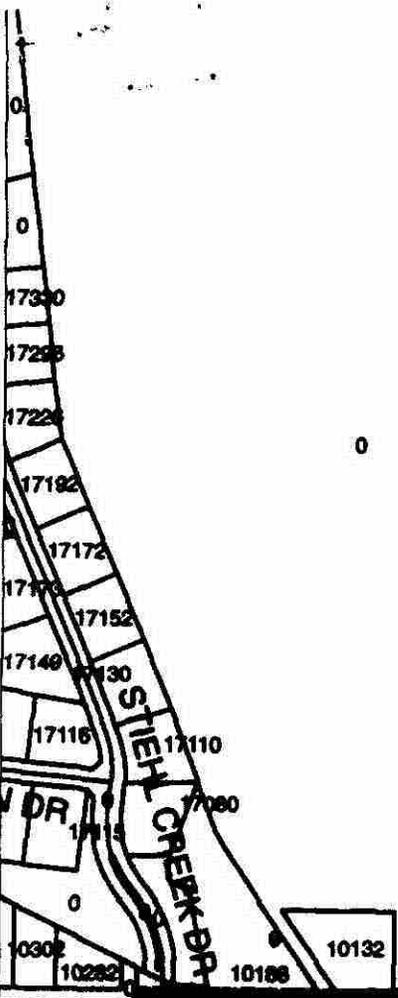
TECHNICAL SUPPORT



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N MIDLAND BLVD

ANNEXATION AND BC ZONING FOR A PORTION OF CHERRY LANE, EAST OF MIDLAND BLVD, LOCATED IN THE NW 1/4 SEC 9 T3N, R2W, BM. FOR THE CITY OF NAMPA. PROJECT #13-07235



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9725

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FEB 26 2009



16854  
1 inch = 500 feet