

ORDINANCE NO. 3882

AN ORDINANCE OF THE CITY OF NAMPA, CANYON COUNTY, IDAHO, CORRECTING ORDINANCE NO. 3670, WHICH ANNEXED AND ZONED RD REAL PROPERTY LOCATED AT 2305 EAST POWERLINE ROAD 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. 3670 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. 3670 and as set forth in the Development Agreement to which Ordinance No. 3670 was made subject is incorrect and needs to be corrected.

Section 2: That the correct legal description for the annexed real property located at 2305 East Powerline Road 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 RD 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. 3670 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 5th DAY OF October, 2009.

APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS 5th DAY OF October, 2009.

Approved:

By [Signature]
Mayor

REQUESTS
NAMP
CITY OF
WILLIAM H. HURST
CANYON CITY RECORDER
[Signature]

2009 OCT 15 PM 2 02

RECORDED

2009052564



[Signature]
City Clerk

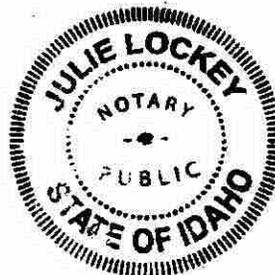
State of Idaho)

Canyon County)

On this 5th day of October, 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 Whereof, 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



PROPERTY DESCRIPTION

A PORTION OF THE WEST ½ OF THE NORTHWEST ¼ OF THE NORTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 2 WEST, BOISE MERIDIAN, CANYON COUNTY, IDAHO

A Portion of the West ½ of the Northwest ¼ of the Northwest ¼ of the Northeast ¼ of Section 26, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, more particularly described as follows;

Commencing at a found 5/8 inch rebar with illegible plastic marking the North ¼ corner of Section 26, from which a found Brass Cap Monument marking the Northeast corner thereof bears South 89°16'33" East, a distance of 2,651.27 feet;

thence along the Northerly boundary of Section 26 (also being the center line of Power Line Road), South 89°16'33" East, a distance of 20.00 feet to a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612" marking its intersection with the Easterly Right-of-Way of Sugar Avenue, the **TRUE POINT OF BEGINNING**;

thence continuing along said boundary and center line, South 89°16'33" East, a distance of 311.41 feet to a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612" marking the Northeastly corner of the West ½ of the Northwest ¼ of the Northwest ¼ of the Northeast ¼ of Section 26;

thence along the Easterly boundary of said West 1/2 South 00°19'13" West, a distance of 659.24 feet to a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612" marking its intersection with the North-North 1/64th line of Section 26;

thence along said 1/64th line North 89°13'35" West, a distance of 311.66 feet to a set 5/8 inch rebar with plastic cap stamped "FLSI PLS 7612" marking its intersection with the Easterly Right-of-Way of Sugar Avenue;

thence along said Right-of-Way North 00°20'31" East, a distance of 658.97 feet to the **TRUE POINT OF BEGINNING**;

Containing 205,328 square feet, 4 713 Acres, more or Less.

