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ORDINANCE NO. 1169

DANIEL J. ENGLISH 4P I 2199904000
KOOTENAI CO. RECORDER Page 1 of 4
AAA Date 03/06/2009 Time 16:23:15
REC-REQ OF POST FALLS CITY
RECORDING FEE: 0.00
2199904000 XK 5

ANNEXATION & ZONE CLASSIFICATION OF PROPERTY

**Portion of Section 28, T51N, R5W, B.M.
10.685-Acre Parcel Located East of Meadows 4th Addition, South of Staples Avenue, 825 feet
Southwest of Chase Road and North of the Union Pacific Railroad
(File Nos. A-08-03 & A-08-02)**

AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR ANNEXATION OF PROPERTY CONSISTING OF APPROXIMATELY 10.685 ACRES, LOCATED AT THE SOUTHEAST CORNER OF LOT 10, BLOCK 18 OF MEADOWS 4TH ADDITION AND ZONING SAID ANNEXED PROPERTY AS SINGLE FAMILY RESIDENTIAL ZONING (R-1) WITH A DENSITY RESTRICTION, PROVIDING FOR THE AMENDMENT TO THE OFFICIAL ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF:

WHEREAS, the owners of the real property described in Section 1 of this ordinance have petitioned the City Council of the City of Post Falls for annexation of said property as Single Family Residential (R-1),

WHEREAS, public hearings were held before both the Planning and Zoning Commission on 07/8/2008 and City Council on 08/19/2008, in accordance with law, testimony taken, findings of fact and conclusions of law reached; and

WHEREAS, the City Council, based upon the recommendation of the Planning and Zoning Commission and upon its own fact finding, determined that said annexation is provided for under existing law in that the land in question adjoins the corporate limits, that the proposed zoning is suitable and compatible with surrounding land uses and provisions of the Post Falls Comprehensive Plan and that said land uses would fit in with the general development of the City and would be in the best interest of the City of Post Falls.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POST FALLS, IDAHO, AS FOLLOWS:

SECTION 1: That the following described property located east of Meadows 4th Addition, south of Staples Avenue, 825 feet southwest of Chase Road and North of the Union Pacific Railroad is contiguous and adjacent to the City of Post Falls, to wit:

A PARCEL OF LAND LYING IN A PORTION OF SECTION 28, TOWNSHIP 51 NORTH, RANGE 5 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 10, BLOCK 18 OF MEADOWS 4TH ADDITION RECORDED AT BOOK J, ON PAGE 417 OF PLATS, KOOTENAI COUNTY RECORDERS OFFICE, FROM WHICH THE CENTER QUARTER CORNER OF SAID SECTION 28 BEARS N54°43'29"W, A DISTANCE OF 1659.50 FEET, SAID SOUTHEAST CORNER OF LOT 10 ALSO BEING ON THE NORTHERLY RIGHT OF WAY OF

STAPLES AVENUE AND BEING THE **TRUE POINT OF BEGINNING** OF THE HEREIN DESCRIBED PARCEL OF LAND;

THENCE N56°35'13"E ALONG THE NORTHERLY RIGHT OF WAY OF SAID STAPLES AVENUE, A DISTANCE OF 428.85 FEET;

THENCE LEAVING SAID NORTHERLY RIGHT OF WAY S34°22'47"E, A DISTANCE OF 545.48 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY OF UNION PACIFIC RAILROAD;

THENCE ALONG SAID RAILROAD RIGHT OF WAY S56°00'00"W, A DISTANCE OF 24.38 FEET;

THENCE ALONG A CURVE TO THE RIGHT THAT HAS A RADIUS OF 11,409.19 FEET AND A CENTRAL ANGLE OF 5°05'17", FOR A LENGTH OF 1,013.17 AND A CHORD BEARING S58°32'02"W, A DISTANCE OF 1012.85 FEET TO THE SOUTHEASTERLY CORNER OF LOT 15, BLOCK 17 ON THE PLAT OF SAID MEADOWS 4TH ADDITION;

THENCE LEAVING SAID RAILROAD RIGHT OF WAY AND ALONG THE EAST BOUNDARY OF SAID PLAT N06°11'46"W, A DISTANCE OF 516.09 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID STAPLES AVENUE;

THENCE ALONG SAID SOUTHERLY RIGHT OF WAY LINE AND ALONG A CURVE TO THE LEFT THAT HAS A RADIUS OF 250 FEET AND A CENTRAL ANGLE OF 13°47'16" FOR A LENGTH OF 60.16 FEET AND A CHORD BEARING N63°28'51"E, A DISTANCE OF 60.01 FEET;

THENCE CONTINUING ALONG SAID SOUTHERLY RIGHT OF WAY N56°35'13"E, A DISTANCE OF 304.91 FEET;

THENCE LEAVING SAID SOUTHERLY RIGHT OF WAY N33°23'06"W, A DISTANCE OF 60.00 FEET TO THE **TRUE POINT OF BEGINNING** OF THE HEREIN DESCRIBED PARCEL OF LAND.

CONTAINING 10.685 ACRES MORE OR LESS.

END OF DESCRIPTION.

be and the same is hereby annexed to and declared to be a part of the City of Post Falls, Kootenai, Idaho.

SECTION 2: That lands described in Section 1 of this Ordinance shall be zoned Single Family Residential (R-1) and include a density restriction of two units per acres. The Official Zoning Map of the City of Post Falls shall be modified to include the lands described in Section 1 and to reflect the Single Family Residential (R-1) Zoning applied thereto.

SECTION 3: That this Ordinance shall take effect and be in full force and effect upon its passage, approval and publication according to law.

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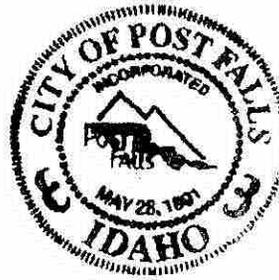
Enacted as an ordinance of the City of Post Falls, Idaho, at a meeting of the City Council held on the 3rd day of March, 2009.

CITY OF POST FALLS

BY: *Mayor Clay Luck*
MAYOR

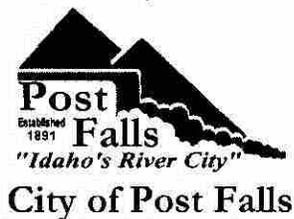
ATTEST

BY: *Carol Jannert*
DEPUTY CITY CLERK



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Clerk's Department

March 9, 2009

Idaho State Tax Commission
P.O. Box 36
800 Park Plaza IV
Boise, ID 83722

Attention: Jeff Servatius

RE: Ordinance No. 1169

The City of Post Falls has annexed additional land and passed Ordinance No. 1169 on March 3, 2009. Enclosed please find recorded Ordinance and map. If you have any questions, please feel free to contact the Post Falls Community Development Department, Planning Division, 773-8708.

Sincerely,

Carol Fairhurst, CMC
Deputy City Clerk

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