

0358425

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ORDINANCE NO. 506

AN ORDINANCE OF THE CITY OF FRUITLAND, IDAHO, ANNEXING WITH RESPECT TO ADJOINING LANDS TO THE CITY OF FRUITLAND, IDAHO; AMENDING THE COMPREHENSIVE PLAN MAP AND ZONING MAP; ZONING OF CERTAIN HEREINAFTER DESCRIBED REAL PROPERTY; REPEALER; SEVERABILITY; EFFECTIVE DATE.

BE IT ORDAINED By the Mayor and City Council of the City of Fruitland, Idaho:

Section 1. That the following described real property adjoining the limits of the City of Fruitland and located in the County of Payette, Idaho, is hereby added to, taken into, annexed and made a part of the City of Fruitland.

ALDEN ROAD

A portion of Government Lot 9 of Section 10 and portion of Government Lot 3 of Section 15, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Commencing at the northwest corner of said Section 15;

Thence S 89°15'55" E a distance of 1938.09 feet along the north boundary of said Section 15 to a point on the westerly right of way of "Old" U.S. Highway 95, said point being the POINT OF BEGINNING;

Thence N 10°25'07" W a distance of 69.44 feet along said westerly right of way of "Old" U.S. Highway 95 to a point;

Thence leaving said right of way N 78°10'55" W a distance of 74.60 feet to a point on the easterly right of way of U.S. Highway 95 said point being the beginning of a non-tangential curve;

Said curve to the right through an angle of 00°12'55", having a radius of 2053.67 feet, and whose long chord bears N 16°24'38" E a distance of 7.71 feet along said easterly right of way of U.S. Highway 95 to a point;

Thence continuing along said easterly right of way of U.S. Highway 95 N 16°30'48" E a distance of 42.45 feet to a point;

Thence leaving said easterly right of way of U.S. Highway 95 S 78°10'55" E a distance of 104.09 feet to a point on the easterly right of way of "Old" U.S. Highway 95;

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Instrument # 358425  
PAYETTE COUNTY  
2-12-2009 01:43:47 No. of Pages: 22  
Recorded for: CITY OF FRUITLAND  
BETTY J DRESSEN  
Ex-Officio Recorder Deputy  
Index to: ORDINANCE - MISC  
*Betty J. Dressen*

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Thence along said easterly right of way of "Old" U.S. Highway 95 the following courses and distances;

Thence S 10°25'07" E a distance of 505.78 feet to the beginning of a curve;

Said curve to the left through an angle of 06°20'00", having a radius of 930.00 feet, and whose long chord bears S 13°35'07" E a distance of 102.75 feet to a point;

Thence S 16°45'07" E a distance of 265.10 feet to the beginning of a curve;

Said curve to the right through an angle of 28°00'00", having a radius of 125.00 feet, and whose long chord bears S 02°45'07" E a distance of 60.48 feet to a point;

Thence S 11°14'53" W a distance of 31.47 feet to a point on the northeasterly right of way of the Union Pacific Railroad, said point being the beginning of a non-tangential curve;

Thence leaving said easterly right of way of "Old" U.S. Highway 95 along said curve to the left through 03°12'37", having a radius of 1457.39 feet, and whose long chord bears N 31°38'24" W a distance of 81.65 feet along said northeasterly right of way of the Union Pacific Railroad to a point on the westerly right of way of "Old" U.S. Highway 95 said point being the beginning of a non-tangential curve;

Thence along said westerly right of way of "Old" U.S. Highway 95 the following courses and distances;

Said curve to the left through an angle of 05°47'14", having a radius of 75.00 feet, and whose long chord bears N 13°51'30" W a distance of 7.57 feet to a point;

Thence N 16°45'07" W a distance of 265.10 feet to the beginning of a curve;

Said curve to the right through an angle of 06°20'00", having a radius of 980.00 feet, and whose long chord bears N 13°35'07" W a distance of 108.27 feet to a point;

Thence N 10°25'07" W a distance of 402.77 feet to the POINT OF BEGINNING.

This annexation contains 1.149 acres more or less.

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Section 2. The above-described property is hereby zoned Single-Family Residential.

Section 3. The comprehensive plan map is hereby amended to designate the above-described property as Single-Family Residential.

Section 4. The zoning map is hereby amended to designate the above-described property as Single-Family Residential.

Section 5. That the following described real property adjoining the limits of the City of Fruitland and located in the County of Payette, Idaho, is hereby added to, taken into, annexed and made a part of the City of Fruitland.

SPRUCE DRIVE

A portion of the SE1/4NW1/4 of Section 15, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Commencing at the northwest corner of the NW1/4;

Thence S 01°03'21" W a distance of 1643.82 feet along the west boundary of the NW1/4 to the southwest corner of Northview Ranch Subdivision No. 1;

Thence S 89°30'19" E a distance of 1321.35 feet along the south boundary of Northview Ranch Subdivision No. 1 to the southeast corner of Northview Ranch Subdivision No. 1;

Thence N 00°59'24" E a distance of 327.48 feet along the east boundary of Northview Ranch Subdivision No. 1 coinciding with the west boundary of Applewood Estates Subdivision No. 2 to the northeast corner of Lot 1, Block 1, of Northview Ranch Subdivision No. 1 and also being the northwest corner of Lot 14, Block 1, of Applewood Estates Subdivision No. 2, said corner being the POINT OF BEGINNING;

Thence S 89°31'00" E a distance of 524.02 feet along the north boundary of Applewood Estates Subdivision No. 2 to a point on the westerly right of way of U.S. Highway 95 said point being the northeast corner of Lot 19, Block 1, of Applewood Estates Subdivision No. 2;

Thence N 26°07'14" W a distance of 111.83 feet along said westerly right of way of U.S. Highway 95 to a point;

Thence S 45°28'08" W a distance of 56.54 feet to a point;

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Thence N 89°31'00" W a distance of 433.44 feet parallel with and 60.00 feet north of the north boundary of Applewood Estates Subdivision No. 2 to the southeast corner of Lot 1, Block 5, of Northview Ranch Subdivision No. 1;

Thence S 00°59'16" W a distance of 60.00 feet along the east boundary of Northview Ranch Subdivision No. 1 to the POINT OF BEGINNING.

This annexation contains 0.728 acres more or less.

Section 6. The above-described real property is hereby zoned General Commercial.

Section 7. The comprehensive plan map is hereby amended to designate the above-described property as General Commercial.

Section 8. The zoning map is hereby amended designate the above-described property as General Commercial.

Section 9. That the following described real property adjoining the limits of the City of Fruitland and located in the County of Payette, Idaho, is hereby added to, taken into, annexed and made a part of the City of Fruitland.

WASHOE ROAD

A portion of the NE1/4NE1/4, a portion of the SE1/4NE1/4, and a portion of the NE1/4SE1/4 of Section 16, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Commencing at the northeast corner of said NE1/4NE1/4;

Thence S 01°03'21" W a distance of 131.85 feet along the east boundary of the NE1/4NE1/4 to the POINT OF BEGINNING;

Thence continuing S 01°03'21" W a distance of 1184.69 feet along said east boundary to the northeast corner of said SE1/4NE1/4;

Thence S 01°03'21" W a distance of 329.11 feet along the east boundary of said SE1/4NE1/4 to the northeast corner of White Birch Estates;

Thence S 89°31'53" E a distance of 30.00 feet along the northerly boundary of said White Birch Estates to a point;

Thence S 01°03'21" W a distance of 329.71 feet parallel with and 30.00 feet east of the east boundary of said SE1/4NE1/4 to a point on the southerly boundary of said White Birch Estates;

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Thence N 89°31'53" W a distance of 30.00 feet along said southerly boundary of said White Birch Estates to a point on the east boundary of said SE1/4NE1/4;

Thence S 01°03'21" W a distance of 657.65 feet along said east boundary to the northeast corner of said NE1/4SE1/4;

Thence S 01°09'32" W a distance of 1317.64 feet along the east boundary of said NE1/4SE1/4 to the southeast corner of said NE1/4SE1/4;

Thence N 89°44'10" W a distance of 25.00 feet along the south boundary of said NE1/4SE1/4 to a point;

Thence N 01°09'31" E a distance of 1319.64 feet parallel with the east boundary of said NE1/4SE1/4 to a point;

Thence N 01°03'21" E a distance of 1314.85 feet parallel with the east boundary of said SE1/4NE1/4 to a point;

Thence N 01°03'21" E a distance of 1184.69 feet parallel with the east boundary of said NE1/4NE1/4 to a point;

Thence S 88°56'39" E a distance of 25.00 feet to the POINT OF BEGINNING.

This annexation contains 2.417 acres more or less.

Section 10. The above-described property is hereby zoned Single-Family Residential.

Section 11. The comprehensive plan map is hereby amended to designate the above-described property as Single-Family Residential.

Section 12. The zoning map is hereby amended to designate the above-described property as Single-Family Residential.

Section 13. That the following described real property adjoining the limits of the City of Fruitland and located in the County of Payette, Idaho, is hereby added to, taken into, annexed and made a part of the City of Fruitland.

NORTH PENNSYLVANIA AVENUE

A portion of the SW1/4SW1/4 of Section 14, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Commencing at the southwest corner of the SW1/4SW1/4;

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Thence N 01°25'52" E a distance of 278.78 feet along the west boundary of the SW1/4SW1/4 to the POINT OF BEGINNING;

Thence N 01°25'52" E a distance of 473.18 feet along said west boundary to the northeast corner of Rivercrest Estates 1;

Thence S 88°34'08" E a distance of 25.00 feet perpendicular to said west boundary to a point;

Thence S 01°25'52" W a distance of 473.14 feet parallel with said west boundary to a point on the City of Fruitland city limits;

Thence N 89°13'47" W a distance of 25.00 feet along said city limits to the POINT OF BEGINNING.

This annexation contains 0.271 acres more or less.

Section 14. The above-described property is hereby zoned Single-Family Residential.

Section 15. The comprehensive plan map is hereby amended to designate the above-described property as Single-Family Residential.

Section 16. The zoning map is hereby amended to designate the above-described property as Single-Family Residential.

Section 17. That the following described real property adjoining the limits of the City of Fruitland and located in the County of Payette, Idaho, is hereby added to, taken into, annexed and made a part of the City of Fruitland.

NORTHEAST 16<sup>TH</sup> STREET

A portion of the SW1/4SW1/4, a portion of the SE1/4SW1/4 of Section 14, a portion of the NW1/4NW1/4, and a portion of the NE1/4NW1/4 of Section 23, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Commencing at the southwest corner of the SW1/4SW1/4;

Thence S 89°13'47" E a distance of 173.00 feet along the south boundary of the SW1/4SW1/4 to the POINT OF BEGINNING;

Thence N 01°25'53" E a distance of 25.01 feet along the City of Fruitland city limits to a point;

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Thence S 89°13'47" E a distance of 1147.87 feet parallel with and 25.00 north of the south boundary of the SW1/4SW1/4 to a point on the east boundary of the SW1/4SW1/4;

Thence S 89°13'02" E a distance of 660.60 feet parallel with and 25.00 north of the south boundary of the SE1/4SW1/4 to a point;

Thence S 00°46'58" W a distance of 25.00 feet perpendicular to the south boundary of the SE1/4SW1/4 to a point on the south boundary of the SE1/4SW1/4, said point also being the northeast corner of the Mesa Park Addition No. 2;

Thence N 89°13'02" W a distance of 330.29 feet along the south boundary of the SE1/4SW1/4 to the northwest corner of Mesa Park Addition No. 2;

Thence S 01°19'38" W a distance of 25.00 feet along the westerly boundary of Mesa Park Addition No. 2 to a point;

Thence N 89°13'02" W a distance of 330.32 feet parallel with and 25.00 feet south of the north boundary of the NE1/4NW1/4 to a point on the west boundary of the NE1/4NW1/4;

Thence N 01°20'28" E a distance of 25.00 feet along the west boundary of the NE1/4NW1/4 to the northwest corner of the NE1/4NW1/4;

Thence N 89°13'47" W a distance of 1148.15 feet along the north boundary of the NW1/4NW1/4 to the POINT OF BEGINNING.

This annexation contains 1.228 acres more or less.

Section 18. The above-described property is hereby zoned Single-Family Residential.

Section 19. The comprehensive plan map is hereby amended to designate the above-described property as Single-Family Residential.

Section 20. The zoning map is hereby amended to designate the above-described property as Single-Family Residential.

Section 21. That the following described real property adjoining the limits of the City of Fruitland and located in the County of Payette, Idaho, is hereby added to, taken into, annexed and made a part of the City of Fruitland.

NORTHWEST 16<sup>TH</sup> STREET

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A portion of the SE1/4SE1/4 of Section 15, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Commencing at the southeast corner of the SE1/4SE1/4;

Thence N 89°12'45" W a distance of 784.54 feet along the south boundary of the SE1/4SE1/4 to the POINT OF BEGINNING;

Thence N 89°12'45" W a distance of 507.44 feet along the south boundary of the SE1/4SE1/4 to a point on the easterly right of way of the Idaho Northern and Pacific Railroad;

Thence N 01°18'40" E a distance of 25.00 feet along the easterly right of way of the Idaho Northern and Pacific Railroad to a point;

Thence S 89°12'45" E a distance of 507.46 feet parallel with and 25.00 feet north of the south boundary of the SE1/4SE1/4 to a point on the City of Fruitland city limits;

Thence S 01°22'16" W a distance of 25.00 feet along the City of Fruitland city limits to the POINT OF BEGINNING.

This annexation contains 0.291 acres more or less.

Section 22. The above-described property is hereby zoned Single-Family Residential.

Section 23. The comprehensive plan map is hereby amended to designate the above-described property as Single-Family Residential.

Section 24. The zoning map is hereby amended to designate the above-described property as Single-Family Residential.

Section 25. That the following described real property adjoining the limits of the City of Fruitland and located in the County of Payette, Idaho, is hereby added to, taken into, annexed and made a part of the City of Fruitland.

NORTHWEST 11<sup>TH</sup> STREET

A portion of the SE1/4NW1/4 of Section 22, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Commencing at the northeast corner of said SE1/4NW1/4;

Thence N 89°34'32" W a distance of 35.56 feet along the north boundary of the SE1/4NW1/4 to a point on the westerly right of

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way of U.S. Highway 95, said point being the POINT OF BEGINNING;

Thence S 01°26'28" W a distance of 25.00 feet along said westerly right of way of U.S. Highway 95 to a point;

Thence N 89°34'32" W a distance of 647.50 feet parallel with the north boundary of said SE1/4NW1/4 to a point;

Thence N 00°25'28" E a distance of 25.00 feet to a point on the north boundary of said SE1/4NW1/4;

Thence S 89°34'32" E a distance of 647.95 feet along said north boundary to the POINT OF BEGINNING.

This annexation contains 0.372 acres more or less.

Section 26. The above-described property is hereby zoned General Commercial.

Section 27. The comprehensive plan map is hereby amended to designate the above-described property as General Commercial.

Section 28. The zoning map is hereby amended to designate the above-described property as General Commercial.

Section 29. That the following described real property adjoining the limits of the City of Fruitland and located in the County of Payette, Idaho, is hereby added to, taken into, annexed and made a part of the City of Fruitland.

WEST 1<sup>ST</sup> STREET

A portion of the NW1/4NW1/4 and portion of the NE1/4NW1/4 of Section 27 and a portion of the SW1/4SW1/4 and a portion of the SE1/4SW1/4 of Section 22, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Commencing at the northeast corner of said NE1/4NW1/4;

Thence S 89°55'52" W a distance of 50.15 feet along the north boundary of the NE1/4NW1/4 to a point on the westerly right of way of U.S. Highway 95, said point being the POINT OF BEGINNING;

Thence continuing S 89°55'52" W a distance of 892.15 feet along said north boundary to a point;

Thence N 00°25'30" E a distance of 25.00 feet to a point;

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Thence S 89°55'52" W a distance of 109.00 feet parallel with the south boundary of the SE1/4SW1/4 to a point;

Thence S 00°25'30" W a distance of 25.00 feet to a point on the south boundary of said SW1/4;

Thence S 89°55'52" W a distance of 264.00 feet along said south boundary of the SE1/4SW1/4 to the southeast corner of the SW1/4SW1/4;

Thence N 00°25'30" E a distance of 25.00 feet along the east boundary of the SW1/4SW1/4 to a point;

Thence S 89°56'35" W a distance of 95.00 feet parallel with the south boundary of the SW1/4SW1/4 to a point;

Thence S 00°25'30" W a distance of 25.00 feet parallel with the east boundary of the SW1/4SW1/4 to a point on the south boundary of said SW1/4SW1/4;

Thence S 89°56'35" W a distance of 269.06 feet along said south boundary to a point;

Thence S 00°03'25" E a distance of 25.00 feet perpendicular to said South boundary to a point;

Thence N 89°56'35" E a distance of 364.06 feet parallel with the north boundary of the NW1/4NW1/4 to a point;

Thence N 89°55'52" E a distance of 1264.53 feet parallel with the north boundary of the NE1/4NW1/4 to a point on the westerly right of way of U.S. Highway 95;

Thence N 01°21'44" E a distance of 25.01 feet along said westerly right of way to the POINT OF BEGINNING.

This annexation contains 1.052 acres more or less.

Section 30. The above-described property is hereby zoned Single-Family Residential.

Section 31. The comprehensive plan map is hereby amended to designate the above-described property as Single-Family Residential.

Section 32. The zoning map is hereby amended to designate the above-described property as Single-Family Residential.

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Section 33. That the following described real property adjoining the limits of the City of Fruitland and located in the County of Payette, Idaho, is hereby added to, taken into, annexed and made a part of the City of Fruitland.

S. WHITLEY DRIVE

A portion of the NE1/4SW1/4 of Section 27, Township 8 North, Range 5 West, Boise Meridian, Payette County, Idaho, more particularly described as follows:

Commencing at the northeast corner of the NE1/4SW1/4;

Thence S 01°01'10" W a distance of 490.00 feet along the east boundary of the NE1/4SW1/4 to the southeast corner of Red Williams Addition No. 1 and being the POINT OF BEGINNING;

Thence S 01°01'10" W a distance of 166.00 feet along the east boundary of the NE1/4SW1/4 to a point;

Thence N 88°58'50" W a distance of 25.00 feet perpendicular to east boundary of the NE1/4SW1/4 to a point;

Thence N 01°01'10" E a distance of 166.00 feet parallel with and 25.00 feet west of the east boundary of the NE1/4SW1/4 to a point;

Thence S 88°58'50" E a distance of 25.00 feet perpendicular to east boundary of the NE1/4SW1/4 to the POINT OF BEGINNING.

This annexation contains 0.095 acres more or less.

Section 34. The above-described property is hereby zoned Single-Family Residential.

Section 35. The comprehensive plan map is hereby amended to designate the above-described property as Single-Family Residential.

Section 36. The zoning map is hereby amended to designate the above-described property as Single-Family Residential.

Section 37. If any portion of this Ordinance is found to be unenforceable or unconstitutional for any reason, the remaining portion of this Ordinance shall remain in full force and effect.

Section 38. Any portion of any existing ordinances in direct conflict with this Ordinance are hereby repealed insofar as the conflict exists.

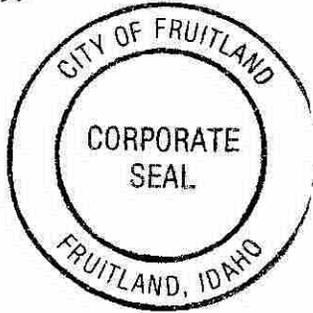
Section 39. This Ordinance shall take effect and be in full force from and after its passage, approval and publication.

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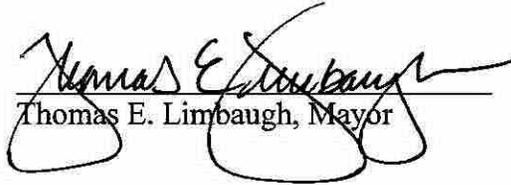
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PASSED and APPROVED By the Mayor and City Council this 9<sup>th</sup> day of February, 2009.



CITY OF FRUITLAND

  
Thomas E. Limbaugh, Mayor

ATTEST:

  
Rick S. Watkins, City Clerk

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STATE OF IDAHO )  
 : ss.  
County of Payette )

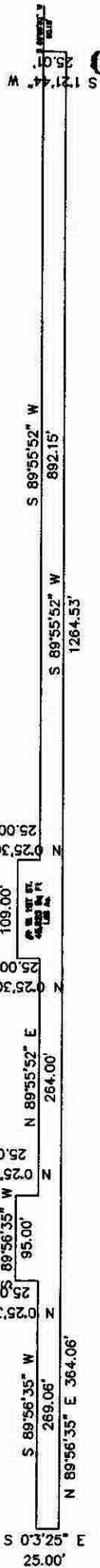
On this 9th day of February, in the year of 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared THOMAS E. LIMBAUGH and RICK S. WATKINS, known to me to be the MAYOR and CITY CLERK of said municipal corporation that executed this instrument and the persons who executed the said instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first written.

SUZANNE PEARCY  
NOTARY PUBLIC  
STATE OF IDAHO

  
\_\_\_\_\_  
Notary Public  
Residing in Fruitland, Idaho  
My commission expires: 6-17-2011

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N 0°25'28" E

25.00'



S 89°34'32" E

647.95'

# 2 NW 11TH ST

16,193 Sq Ft

0.37 Ac

S 89°34'32" E

647.50'

S 89°34'32" E

35.56'

E

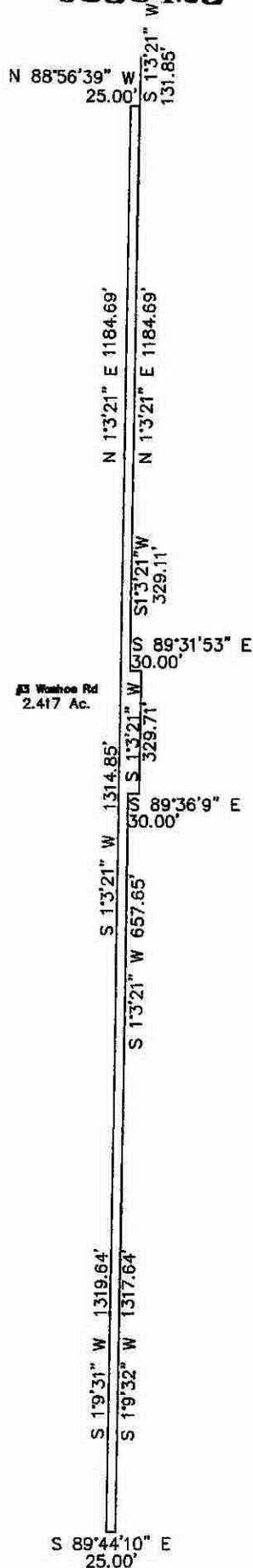
25.00'

N 1°26'28" E

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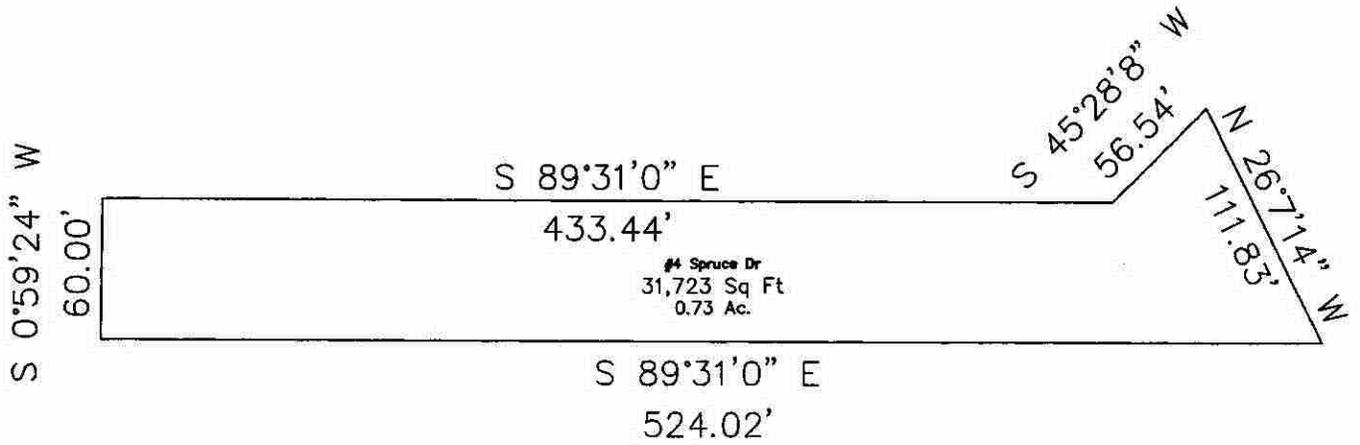
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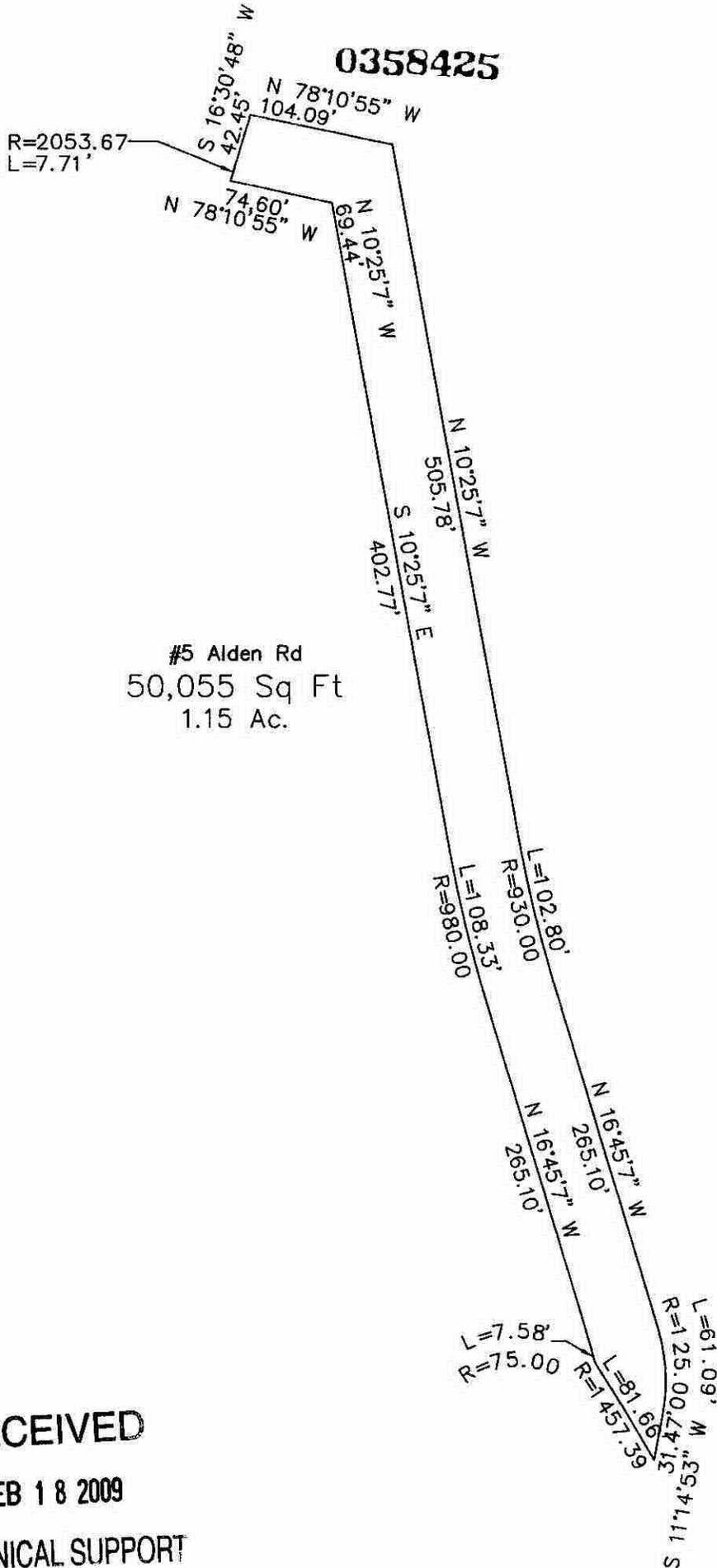
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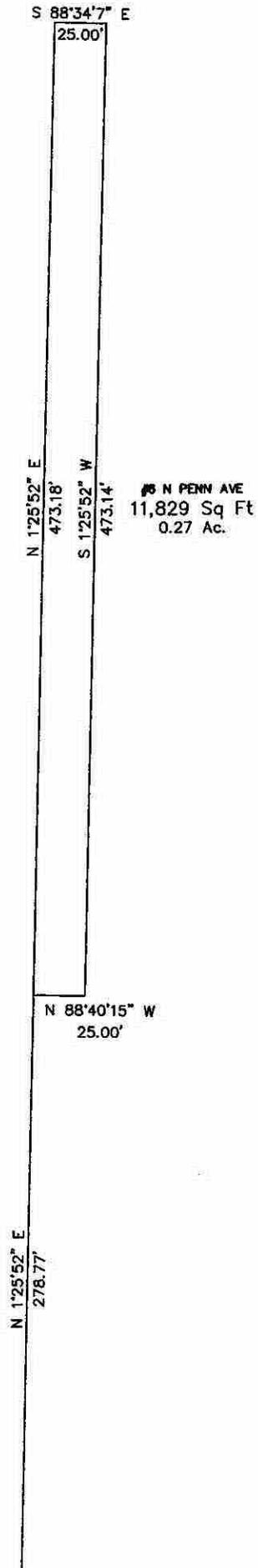


#5 Alden Rd  
 50,055 Sq Ft  
 1.15 Ac.

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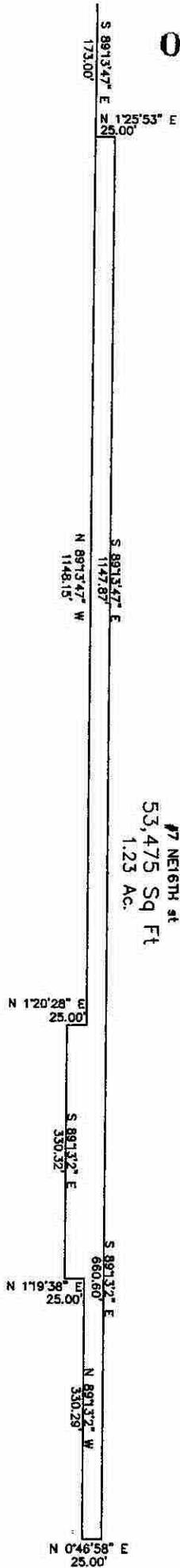
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#7 NINEITH st  
53,475 Sq Ft  
1.23 Ac.

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#8 S Whitley Dr  
4,150 Sq Ft  
0.10 Ac.



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N 1°18'40" E  
25.00'

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S 89°12'45" E  
507.46'

S 89°12'45" E  
507.44'

N 1°22'16" E  
25.00'

#9 NW1/6TH ST  
12,686 Sq Ft  
0.29 Ac.

N 89°12'45" W  
784.54'

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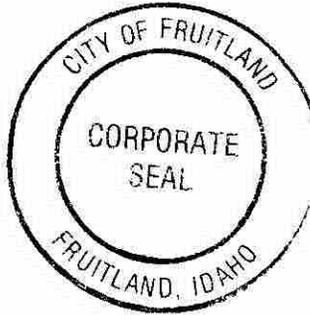
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CLERK'S CERTIFICATION

STATE OF IDAHO     )  
                              : ss.  
County of Payette    )

I, Rick S. Watkins, the duly appointed, qualified and acting City Clerk of the City of Fruitland, County of Payette, State of Idaho, do hereby certify that the attached is a full, true and complete copy of Ordinance No. 506 passed and approved the 9<sup>th</sup> day of February, 2009.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Fruitland, Idaho this 17th day of February, 2009.



*Rick S. Watkins*  
\_\_\_\_\_  
Rick S. Watkins, City Clerk

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