



ORDINANCE NO. 639

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF EAGLE, TO THE CITY OF EAGLE, IDAHO; CHANGING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY DESCRIBED HEREIN FROM RUT (RURAL-URBAN TRANSITION) AND A-R (AGRICULTURAL-RESIDENTIAL) TO BP-DA (BUSINESS PARK WITH A DEVELOPMENT AGREEMENT); AMENDING THE ZONING MAP OF THE CITY OF EAGLE TO REFLECT SAID CHANGE; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Eagle, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex to and incorporate within the boundaries of the City contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, the owner of the real property situated in the unincorporated area of Ada County and particularly described in Exhibit "A" of this ordinance has requested, in writing, annexation of said real property to the City of Eagle; and

WHEREAS, the owner of the real property situated within the City of Eagle and particularly described in Exhibit "C" of this ordinance has requested, in writing, a rezone from RUT and A-R to BP-DA; and

WHEREAS, the properties described in Exhibits "A and C" consists of the following parcels S050736900 and S050734692; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on January 5, 2009, as required by Section 67-6525, Idaho Code, and made a recommendation to the Mayor and Council; and

WHEREAS, the Eagle City Council, pursuant to public notice as required by law, held a public hearing on February 10, 2009, on the proposed annexation and zoning for the real properties described in Exhibits "A and C" as required by Section 67-6525, Idaho Code, made findings and determined that the requested annexation should be granted and that a zoning classification of BP-DA for the property described in Exhibit "C" is appropriate to meet the requirements of Idaho Code, Eagle City Code and the Eagle Comprehensive Plan and should be granted.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EAGLE, IDAHO, as follows:

Section 1: The Eagle City Council hereby finds and declares that the real property particularly described in Exhibit "A", attached hereto and incorporated herein by reference, is contiguous to the City, that said property can be reasonably assumed to be used for the orderly development of the City, and that the owner of said property has requested, in writing, annexation thereof to the City.

Section 2: The real property, all situated in Ada County, Idaho, adjacent and contiguous to the City, particularly described in Exhibit "A" and as generally shown on Exhibit "B", attached here to and included herein by reference, is hereby annexed to the incorporated territorial limits of the City of Eagle, Idaho.

Section 3: The City Council hereby finds and determines that the real property particularly described in Exhibit "C" and generally as shown on Exhibit "D", attached hereto and incorporated by reference, be removed from the RUT (Rural-Urban Transition) and A-R (Agricultural-Residential) zoning classifications and included in the BP-DA (Business Park with a development agreement) zoning classification pursuant to the Zoning Ordinance of the City of Eagle. The City Council further finds and determines that said zone change is in accordance with the Eagle Comprehensive Plan and relevant City Codes.

Section 4: The described real properties generally as shown on Exhibit "D" and located as specifically described in the attached legal description Exhibit "C" all situated in the City of Eagle, Ada County, Idaho, is hereby removed from the RUT (Rural-Urban Transition) and A-R (Agricultural-Residential) zoning classifications and the real property described in Exhibit "C" is hereby included in the BP-DA (Business Park with a development agreement) zoning classification.

Section 5: The official Zoning Map of the City of Eagle, Idaho, is hereby amended to reflect the foregoing change in zoning classification.

Section 6: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory described above shall be subject to all ordinances, resolutions, police regulations, taxation, and other powers of the City of Eagle.

Section 7: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada County, Idaho, and with the Idaho State Tax commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-2215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

EXHIBIT "A"

- 1 -

**DESCRIPTION FOR
STILLWATER TECHNICAL PARK ANNEXATION**

DECEMBER 23, 2009

A PARCEL OF LAND BEING A PORTION OF THE SW ¼ OF SECTION 7 AND THE NW ¼ OF SECTION 18, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE ¼ CORNER COMMON TO SECTIONS 7 AND 18, T.4 N., R.1 E., B.M., THE REAL POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE S 00°22'28" W, 196.05 FEET TO A POINT;

THENCE S 00°26'28" W, 255.51 FEET TO A POINT ON THE MEAN HIGHWATER LINE OF THE NORTH BANK OF THE BOISE RIVER;

ALONG THE MEAN HIGHWATER LINE OF THE NORTH BANK OF THE BOISE RIVER THE FOLLOWING:

THENCE N 37°02'05" W, 131.92 FEET TO A POINT;

THENCE N 80°07'15" W, 155.85 FEET TO A POINT;

THENCE N 66°18'28" W, 183.91 FEET TO A POINT;

THENCE N 57°20'09" W, 83.32 FEET TO A POINT;

THENCE N 53°27'20" W, 147.52 FEET TO A POINT;

THENCE N 46°46'33" W, 42.06 FEET TO A POINT;

THENCE N 32°14'58" W, 86.85 FEET TO A POINT;

THENCE N 23°08'15" W, 94.52 FEET TO A POINT;

THENCE N 26°44'53" W, 10.40 FEET TO A POINT;

THENCE N 26°44'53" W, 105.47 FEET TO A POINT;

THENCE N 39°38'18" W, 117.39 FEET TO A POINT;

THENCE N 26°54'04" W, 87.10 FEET TO A POINT;

December 23, 2009

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THENCE N 57°38'23" W, 82.71 FEET TO A POINT ON THE EXISTING CITY LIMITS OF EAGLE, IDAHO;

LEAVING SAID BANK OF THE BOISE RIVER AND ALONG THE EXISTING CITY LIMITS OF EAGLE, IDAHO THE FOLLOWING:

THENCE N 89°46'41" E, 214.92 FEET TO A POINT;

THENCE N 00°23'42" W, 36.25 FEET TO A POINT;

THENCE N 89°46'58" E, 100.25 FEET TO A POINT;

THENCE N 00°13'25" W, 833.01 FEET TO A POINT;

THENCE N 09°00'31" W, 67.54 FEET TO A POINT ON THE CENTERLINE OF STATE HIGHWAY 44;

THENCE N 89°41'30" E, 335.35 FEET ALONG SAID CENTERLINE TO A POINT;

THENCE N 01°08'35" E, 63.45 FEET TO A POINT ON THE NORTH RIGHT OF WAY OF STATE HIGHWAY 44;

THENCE N 89°43'14" E, 101.89 FEET ALONG SAID NORTH RIGHT OF WAY TO A POINT;

THENCE S 00°13'23" E, 380.08 FEET TO A POINT;

THENCE N 89°45'44" E, 135.00 FEET TO A POINT;

THENCE N 00°13'23" W, 257.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF STATE HIGHWAY 44;

THENCE N 89°46'28" E, 95.00 FEET ALONG SAID SOUTH RIGHT OF WAY TO A POINT ON THE EAST LINE OF THE SW ¼ OF SAID SECTION 7;

THENCE S 01°11'01" W, 1273.24 FEET ALONG SAID EAST LINE TO THE REAL POINT OF BEGINNING.

SAID PARCEL CONTAINING 24.11 ACRES, MORE OR LESS.

THIS PARCEL IS SUBJECT TO ALL EXISTING EASEMENTS AND RIGHTS OF WAY.

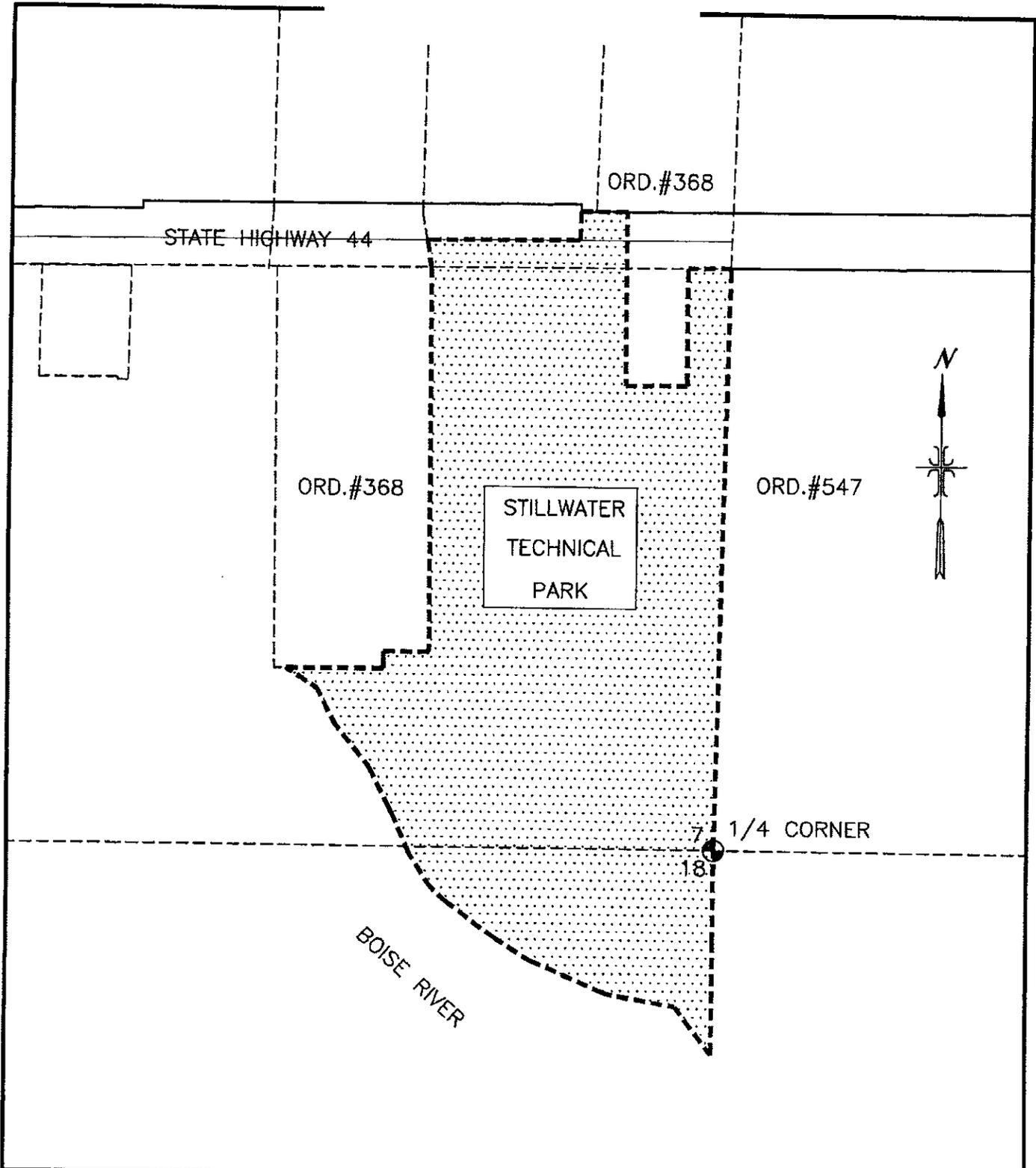
MICHAEL E. MARKS, PLS NO. 4998

December 23, 2009

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EXHIBIT "B"

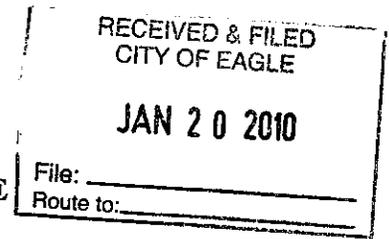


<p>REVISIONS</p>	<p>ANNEXATION EXHIBIT FOR STILLWATER TECHNICAL PARK IN THE SW 1/4 OF SECTION 7 AND NW 1/4 OF SECTION 18, T.4 N., R.1 E., B.M. ADA COUNTY, IDAHO</p>	 <p>Stanley Consultants INC. 2264 S. BONITO WAY SUITE 150 MERIDIAN, IDAHO 83642 208-855-5600</p>	
<p>DRAWN: MEM</p>	<p>DATE: 12/23/09</p>	<p>SCALE: 1"=300'</p>	<p>JOB NO. 21723</p>

EXHIBIT "C"

- 1 -

DESCRIPTION FOR
STILLWATER TECHNICAL PARK REZONE



JANUARY 20, 2010

A PARCEL OF LAND BEING A PORTION OF THE SW ¼ OF SECTION 7 AND THE NW ¼ OF SECTION 18, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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21723 REZONE

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THENCE N 89°41'30" E, 335.35 FEET ALONG SAID CENTERLINE TO A POINT;

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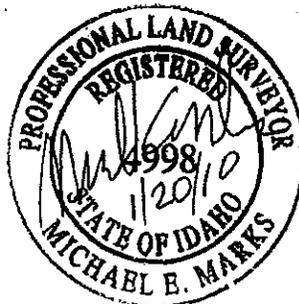
THENCE N 89°46'28" E, 230.00 FEET ALONG SAID SOUTH RIGHT OF WAY TO A POINT ON THE EAST LINE OF THE SW ¼ OF SAID SECTION 7;

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SAID PARCEL CONTAINING 24.91 ACRES, MORE OR LESS.

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MICHAEL E. MARKS, PLS NO. 4998



21723 REZONE

EXHIBIT "D"

RECEIVED & FILED
CITY OF EAGLE

JAN 20 2010

File: _____
Route to: _____

ORD.#368

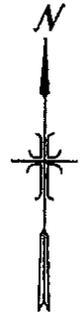
STATE HIGHWAY 44

CURRENTLY EAGLE A-R

ORD.#368

STILLWATER
TECHNICAL
PARK

ORD.#547



CURRENTLY ADA
COUNTY RUT

7 1/4 CORNER

18

BOISE RIVER

REVISIONS

REZONE EXHIBIT FOR
STILLWATER TECHNICAL PARK
IN THE SW 1/4 OF SECTION 7 AND
NW 1/4 OF SECTION 18, T.4 N., R.1 E., B.M.
ADA COUNTY, IDAHO



Stanley Consultants INC.
2264 S. BONITO WAY
SUITE 150
MERIDIAN, IDAHO 83642
208-855-5600

DRAWN: MEM

DATE: 1/20/10

SCALE: 1"=300'

JOB NO. 21723

