



126

ORDINANCE NO. 650

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) TO MU-DA (MIXED USE 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 "A" of this ordinance has requested, in writing, a rezone from RUT to MU-DA; and

WHEREAS, the property described in Exhibit "A" is identified by the Ada County Assessor's Office as parcel number S0424417200; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on November 16, 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 23, 2010, on the proposed annexation and zoning for the real property described in Exhibit "A", and 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 MU-DA for the property described in Exhibit "A" is appropriate to meet the requirements of Idaho Code, Eagle City Code and the Eagle Comprehensive Plan and should be granted.

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TECHNICAL SUPPORT

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 hereto 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 "A" and generally as shown on Exhibit "B", attached hereto and incorporated by reference, is hereby removed from the RUT (Rural-Urban Transition) zoning classification and is hereby included in the MU-DA (Mixed Use with a development agreement) zoning classification all 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 and that the Zoning Map of the City is hereby amended to include the real property described in Exhibit "A" in the MU-DA zoning district.

Section 4: 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 5: The City Clerk is hereby directed to file 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 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

Section 6: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

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DATED this 23rd day of November 2010.

CITY COUNCIL OF THE CITY OF EAGLE
Ada County, Idaho

James D. Reynolds
James D. Reynolds, Mayor

ATTEST:

Sharon K. Bergmann
Sharon K. Bergmann, Eagle City Clerk



STATE OF IDAHO)

: ss.

County of Ada)

On this 24th day of November, in the year 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared James D. Reynolds and Tracy E Osborn, 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.



Kellie McCombs
Notary Public
Residing at: Emmett ID
My Commission Expires: 1-14-15

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TECHNICAL SUPPORT

Project No. 06-050-01

EXHIBIT "A"

Date: April 27, 2009

**NORTHWEST REMAINDER PORTION
MERIDIAN ROAD AND CHINDEN BLVD. PROPERTY
ANNEXATION DESCRIPTION**

A parcel of land located in the SE 1/4 of Section 24, T. 4 N., R. 1 W., B.M., Ada County, Idaho, more particularly described as follows:

Commencing at the section corner common to Sections 19 and 30 of T. 4 N., R. 1 E., B.M., and Sections 24 and 25 of said T. 4 N., R. 1 W.;

Thence North 89°37'39" West, 864.25 feet on the section line common to said Sections 24 and 25 to the **REAL POINT OF BEGINNING**;

Thence North 00°22'21" East, 402.37 feet to the northwest corner of Castlebury West Business Park No. 2, as same is shown on the Plat thereof Recorded in Book 101 of Plats at Page 13302 of Ada County Records;

Thence on the northerly boundary line of said Castlebury West Business Park No. 2, and Castlebury West Business Park No. 1, as same is shown on the Plat thereof Recorded in Book 99 of Plats at Page 12755 of Ada County Records, for the following courses and distances:

Thence South 89°33'32" East, 202.31 feet;

Thence North 00°26'28" East, 60.00 feet;

Thence South 89°33'32" East, 54.00 feet;

Thence South 00°26'28" West, 15.00 feet to a point of curve;

Thence 28.27 feet on the arc of a curve to the left, said curve having a radius of 18.00 feet, a central angle of 90°00'00" and a chord distance of 25.46 feet which bears South 44°33'32" East;

Thence South 89°33'32" East, 92.20 feet to a point of curve;

Thence 11.72 feet on the arc of a curve to the left, said curve having a radius of 28.00 feet, a central angle of 23°58'45" and a chord distance of 11.63 feet which bears North 78°27'05" East to a point of reverse curve;

Thence 98.35 feet on the arc of a curve to the right, said curve having a radius of 117.50 feet, a central angle of 47°57'30" and a chord distance of 95.51 feet which bears South 89°33'32" East to a point of reverse curve;

Thence 11.72 feet on the arc of a curve to the left, said curve having a radius of 28.00 feet, a central angle of 23°58'45" and a chord distance of 11.63 feet which bears South 77°34'09" East;

Thence South 89°33'32" East, 158.83 feet to a point of curve;

Thence 30.99 feet on the arc of a curve to the left, said curve having a radius of 99.97 feet, a central angle of 17°45'32" and a chord distance of 30.86 feet which bears North 81°33'42" East;

Thence North 72°40'56" East, 12.71 feet to a point of curve;

Thence 18.60 feet on the arc of a curve to the right, said curve having a radius of 60.00 feet, a central angle of 17°45'32" and a chord distance of 18.52 feet which bears North 81°33'42" East;

Thence South 89°33'32" East, 103.24 feet to a point of curve;

Thence 31.42 feet on the arc of a curve to the left, said curve having a radius of 20.00 feet, a central angle of 90°00'00" and a chord distance of 28.28 feet which bears North 45°26'28" East to the northeast most corner of said Castlebury West Business Park No. 1;

Thence leaving the northerly line of said Castlebury West Business Park No. 1, South 89°33'32" East, 37.00 feet to a point on the section line common to said Sections 19 and 24;

Thence North 00°26'28" East, 180.17 feet on the section line common to said Sections 19 and 24;

Thence North 89°34'55" West, 378.50 feet (formerly described as North 89°34'08" West) a portion of said line being on the northerly boundary line of that parcel of land shown on Record-of-Survey Number 6157 of Ada County Records, to the southwest corner of said Record-of-Survey Parcel;

Thence North 00°26'28" East, 625.00 feet (formerly described as North 00°27'15" East) on the westerly boundary line of said Record-of-Survey Parcel to the northwest corner of said Parcel;

Thence South 89°34'55" East, 378.50 feet (formerly described as South 89°34'08" East) on the northerly boundary line of said Record-of-Survey Parcel to a point on the section line common to said Sections 19 and 24;

Thence North 00°26'28" East, 1388.90 feet (formerly described as 1388.92 feet) on the section line common to said Sections 19 and 24 to the 1/4 section corner common to said Sections 19 and 24;

Thence North 89°34'50" West, 2658.84 feet (formerly described as South 89°58'33" West, 2658.73 feet) on the east-west mid-section line of said Section 24, said line also being the southerly boundary line of Amended Winward River Heights (a Subdivision), as same is shown on the Plat thereof Recorded in Book 68 of Plats at Page 6988 of Ada County Records, to the Center 1/4 Section corner of said Section 24;

Thence South 00°40'04" West, 1435.15 feet (formerly described as South 00°40'31" West, 1435.16 feet) on the north-south mid-section line of said Section 24 to the northwest corner of Foxtail Subdivision, as same is shown on the Plat thereof Recorded in Book 73 of Plats at Page 7563 of Ada County Records;

Thence South 89°32'56" East, 1304.90 feet (formerly described as 1304.70 feet) on the northerly boundary line of said Foxtail Subdivision to the northeast corner of said Subdivision;

Thence South 00°20'38" East, 1219.26 feet on the easterly boundary line of said Foxtail Subdivision to a point on the section line common to said Sections 24 and 25;

Thence South 89°37'39" East, 478.65 feet on the section line common to said Sections 24 and 25 to the real point of beginning. Said parcel contains 111.58 acres more or less.

PREPARED BY:
Engineering North West, LLC



James R. Washburn, PLS

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TECHNICAL SUPPORT

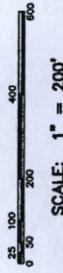
EXHIBIT "B"

NORTHWEST REMAINDER
ANNEXATION EXHIBIT
 SECTION 24, T.4N., R.1W., B.M.,
 ADA COUNTY, IDAHO
Engineering Northwest, LLC
 BOISE, IDAHO

AMENDED WINWARD RIVER HEIGHTS

(Misc. Plat. Area 27)
 S89°34'50"E 2858.04'

111.58 ACRES
 4,860,368 SQ.FT.



LEGEND

- FOUND BRASS OR ALUMINUM CAP MONUMENT
- ⊙ FOUND 5/8" IRON PIN, AS SHOWN
- FOUND 1/2" IRON PIN, AS SHOWN
- ▲ CALCULATED POINT, (NOT SET)

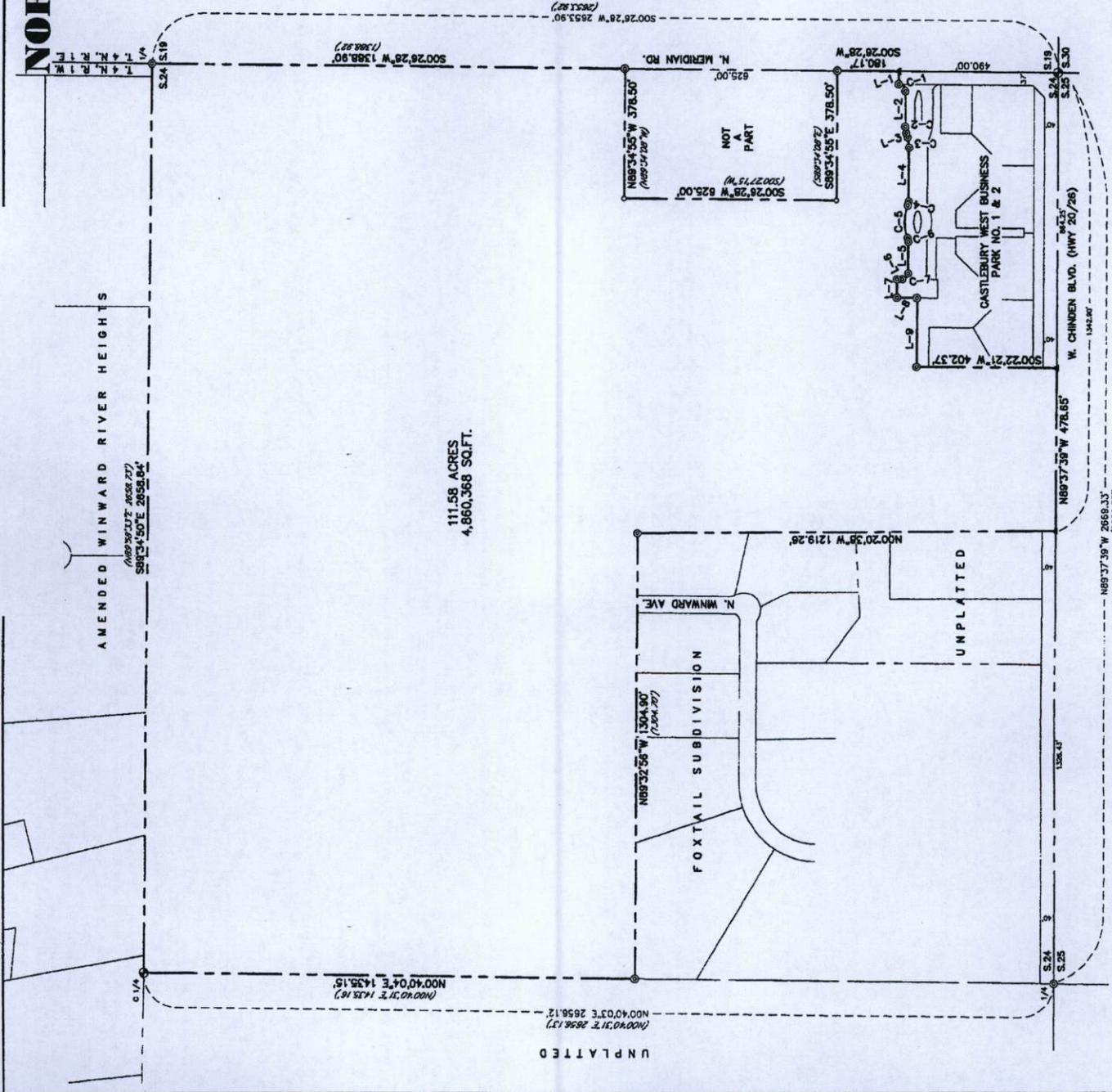
- BOUNDARY LINE
- SECTION LINE
- - - 1/4 SECTION LINE
- RECORD DATA

CURVE DATA:

CURVE	LENGTH	RADIUS	DELTA	CHORD	DIST.	CHORD BRG.
C-1	31.42'	20.00'	90°00'00"	28.28'	545°26'28" N	
C-2	18.60'	60.00'	17°45'36"	18.32'	S81°33'42" W	
C-3	30.99'	95.97'	17°45'36"	30.86'	S81°33'42" W	
C-4	11.72'	28.00'	23°58'45"	11.63'	N77°24'07" W	
C-5	98.28'	117.50'	47°37'30"	95.31'	N69°33'28" W	
C-6	11.72'	28.00'	23°58'45"	11.63'	S78°27'02" W	
C-7	28.27'	18.00'	90°00'00"	25.46'	N44°33'32" W	

LINE TABLE

LINE	BEARING	LENGTH
L-1	N69°33'28" W	37.00'
L-2	N69°33'28" W	103.24'
L-3	S78°27'02" W	18.71'
L-4	N69°33'28" W	138.89'
L-5	N69°33'28" W	98.28'
L-6	N00°00'00" E	13.00'
L-7	N69°33'28" W	34.00'
L-8	S00°26'28" W	60.00'
L-9	N69°33'28" W	102.31'



BASIS OF BEARING

ALL DISTANCES, BEARINGS, MONUMENTS, AND CORNER POSITIONS SHOWN ON THIS PLAN ARE BASED ON THE 1983 NAD 83 DATUM.

