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ORDINANCE NO. 457

TECHNICAL SUPPORT

Paul Okumura

AN ORDINANCE ANNEXING TO THE CITY OF MIDDLETON, IDAHO, CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF CANYON COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF MIDDLETON, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY TO C-3 COMMUNITY COMMERCIAL; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Middleton, Idaho (the "City"), 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 is generally located on the northwest corner of Highway 44 and Hartley Lane Middleton, Idaho and comprises 3.49 acres in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, the owner of the real property situated in the unincorporated area of Canyon County and particularly described in Exhibit A attached and hereby made a part of this ordinance, has requested, in writing, annexation of said real property to the City of Middleton; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearings on April 19, 2010 as required by Section 67-6525, Idaho Code, and recommended to the Mayor and Council that they approve the request for annexation and zoning 3.49 acres to C-3 Community Commercial; and

WHEREAS, the Middleton City Council, pursuant to public notice as required by law, held a public hearing on May 19, 2010 on the annexation and recommended zoning for the real property described in Exhibit A attached, as required by Section 67-6525, Idaho Code;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MIDDLETON, IDAHO, AS FOLLOWS:

Section 1. The Middleton City Council hereby finds and declares that the real property described in Exhibit A attached 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 with a zoning designation described in Exhibit A, zoning 3.49 acres to C-3 Community Commercial.

Section 2. The real property, all situate in Canyon County, Idaho, adjacent and contiguous to the City, described in Exhibit A attached, is hereby annexed to and incorporated in the territorial limits of the City of Middleton, Idaho.

Section 3. 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 Middleton, Idaho.

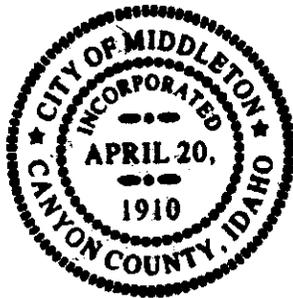
Section 4. The zoning classification of the land described in Exhibits A attached is hereby established as zoning 3.49 acres to C-3 Community Commercial; as provided by the zoning ordinance of the City and in accordance with the Comprehensive Plan. The Zoning Map is

hereby amended to include the real property described in Exhibit A attached in the zoning 3.49 acres to C-3 Community Commercial classification.

Section 5. The City Clerk is hereby directed to file, within ten (10) days of the passage, approval and publication of this ordinance, a certified copy of this ordinance with the offices of the Auditor, Treasurer and Assessor of Canyon 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.

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.

DATED this 2nd day of June, 2010



CITY OF MIDDLETON
Canyon County, Idaho

By *Vicki Thurber*
Vicki Thurber, Mayor

ATTEST:

Ellen Smith CMC
Ellen Smith, City Clerk

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Land Surveying, Inc.

GPS, BOUNDARY,
TOPOGRAPHIC AND A.L.T.A.
SURVEYS
CONSTRUCTION STAKING
3D SCANNING

1121 E. State Street • Suite 105 • Eagle, Idaho 83616 • office: 1-208-939-7373 • fax: 1-208-939-7321



Job No. 09-OKAM
11-17-09
J.B.F.

BOUNDARY DESCRIPTION
FOR
PAUL OKAMURA

Parcel 1

Part of the Southeast ¼ of the Southwest ¼ of Section 1, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho described as:

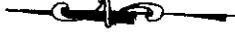
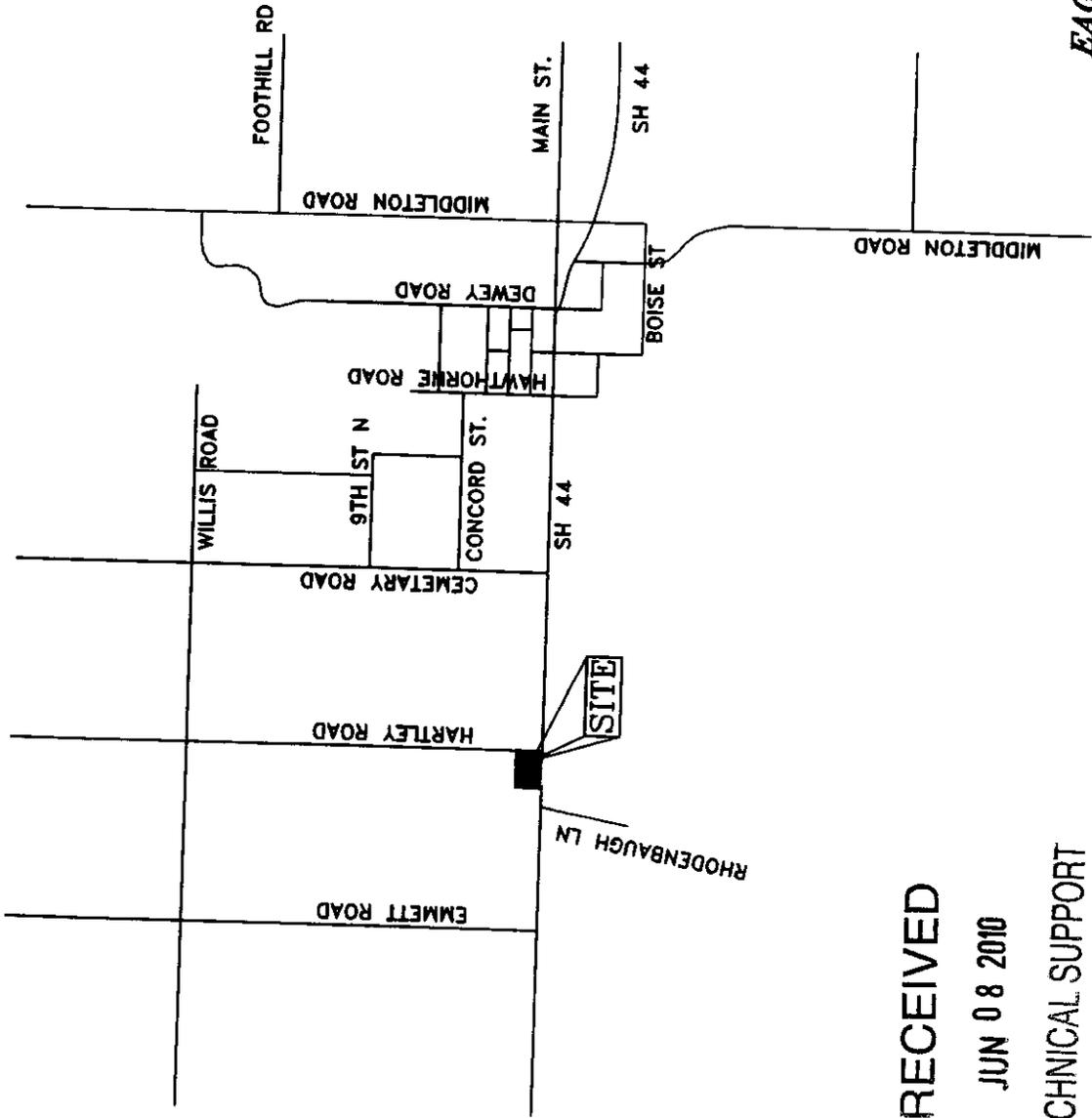
Commencing at a Brass Cap marking the South Quarter corner of Section 1, Township 4 North, Range 3 West of the Boise Meridian, Canyon County, Idaho and running thence N01°14'53"E 40.01 feet along the Center North-South line of said Section to the Point of Beginning; thence N89°39'32"W 467.94 feet along the North right-of-way line of State Highway 44 to a set ½" iron rod with yellow plastic cap labeled "PLS 12220"; thence N01°15'06"E 324.67 feet to a set ½" iron rod with yellow plastic cap labeled "PLS 12220"; thence S89°39'32"E 467.92 feet to a point on the Center North-South line of said Section; thence S01°14'53"W 324.67 feet along said line to the point of beginning.

Parcel contains 3.49 acres and is subject to a county road prescriptive easement.

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VICINITY MAP-PAUL OKAMURA
 NE 1/4, NW 1/4 OF SEC. 12, T. 4 N., R. 3 W., B.M.
 2010



SCALE:
 1 inch = 2640 ft.

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EAGLE LAND SURVEYING, LLC.

463 W 4TH ST N, MIDDLETON, ID 83644
 (208) 861-7513; pls12220@yahoo.com

2010025434

RECORDED

2010 JUN 3 PM 2 55

WILLIAM H. BURST
CANYON CITY RECORDER
BY *John A. Brown*

REQUEST *City of Mueller*
~~TYPEORDINANCE FEE~~ *E*

457

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CITY OF MIDDLETON

P.O. Box 487 • 6 N. Dewey Avenue • Middleton, Idaho 83644

(208) 585-3133 • Fax (208) 585-9601

citmid@cableone.net • www.middleton.id.gov

June 3, 2010

State Tax Commission
800 Park Blvd. Plaza IV
Boise, Idaho 83722

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Subject: Ordinance No. 457 & 458 Middleton (City)

Dear Sir or Madam:

Enclosed are Ordinance #457 & #458 from the City of Middleton annexing and zoning property into the city limits.

Any questions you may call me at 585-3133.

Sincerely,

Ellen Smith CMC
City Clerk
Middleton, Idaho