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ORDINANCE NO. 3389
COUNCIL BILL NO. 10-1015

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 14, TOWNSHIP 50, NORTH, RANGE 4W, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; CHANGING THE ZONING MAPS OF THE CITY OF COEUR D'ALENE; AMENDING SECTION 1.16.200, COEUR D'ALENE MUNICIPAL CODE, BY DECLARING SUCH PROPERTY TO BE A PART OF PRECINCT #54; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, after public hearing, the City Council finds it to be in the best interests of the City of Coeur d'Alene and the citizens thereof that said property be annexed; NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene, Kootenai County, Idaho:

SECTION 1. That the property as set forth in Exhibit "A", attached hereto and incorporated herein, contiguous and adjacent to the City of Coeur d'Alene, Kootenai County, Idaho, be and the same is hereby annexed to and declared to be a part of the City of Coeur d'Alene, Kootenai County, Idaho, and the same is hereby zoned as C-17 (Commercial at 17 units/acre).

SECTION 2. That the Zoning Act of the City of Coeur d'Alene, known as Ordinance No. 1691, Ordinances of the City of Coeur d'Alene, be and the same is hereby amended as set forth in the preceding section hereof.

SECTION 3. That the Planning Director be and he is hereby instructed to make such change and amendment on the three (3) official Zoning Maps of the City of Coeur d'Alene.

SECTION 4. That the above described property be and the same is hereby declared to be and shall be a part of Precinct #54, and that Section 1.16.200, Coeur d'Alene Municipal Code, be and the same is hereby amended to include the herein annexed property within the described boundaries of Precinct #54.

SECTION 5. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

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AUG 30 2010

TECHNICAL SUPPORT

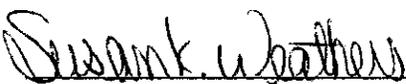
SECTION 6. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an ordinance of the City of Coeur d'Alene, at a regular session of the City Council on August 3, 2010.

APPROVED by the Mayor this 3rd day of August, 2010.


Sandi Bloem, Mayor

ATTEST:

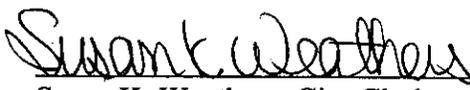

Susan K. Weathers, City Clerk



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SUMMARY OF COEUR D'ALENE ORDINANCE NO. 3389
A-1-09 / Annexation of the former DeArmond Mill Site

AN ORDINANCE ANNEXING TO AND DECLARING TO BE A PART OF THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 14, TOWNSHIP 50, NORTH, RANGE 4W, BOISE MERIDIAN; ZONING SUCH SPECIFICALLY DESCRIBED PROPERTY HEREBY ANNEXED; CHANGING THE ZONING MAPS OF THE CITY OF COEUR D'ALENE; AMENDING SECTION 1.16.200, COEUR D'ALENE MUNICIPAL CODE, BY DECLARING SUCH PROPERTY TO BE A PART OF PRECINCT #54; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. 3389 IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

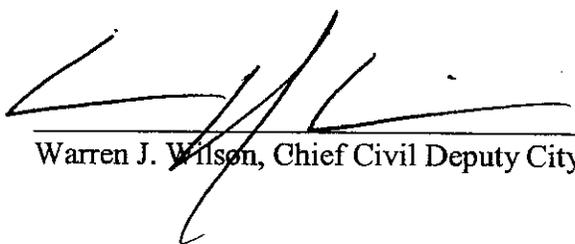

Susan K. Weathers, City Clerk

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STATEMENT OF LEGAL ADVISOR

I, Warren J. Wilson, am a Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. 3389, A-1-09 / Annexation of the former DeArmond Mill Site, and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 3rd day of August, 2010.



Warren J. Wilson, Chief Civil Deputy City Attorney

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LEGAL DESCRIPTION
OF THE
ANNEXATION BOUNDARY
OF PORTIONS OF THE
"DEARMOND MILL" PROPERTY
TO THE
CITY OF COEUR D'ALENE

TRACT A

That portion of Lot 18 of FORT SHERMAN ABANDONED MILITARY RESERVE, according to the plat thereof, recorded in Book "B" of Plats at Page 153A, records of Kootenai County, Idaho, being situated in Section 14, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

COMMENCING at the southeast corner of said Lot 18, from which the north 1/4 corner of said Section 14 bears N00°05'54"E a distance of 2,596.78 feet;

thence N89°06'09"W along the south line of said Lot 18, also being the north right-of-way line of River Avenue, a distance of 7.50 feet to a point on the existing City of Coeur d'Alene City Limits, said point being the POINT OF BEGINNING;

thence continuing N89°06'09"W along said south line of Lot 18, also being the north right-of-way line of River Avenue, also being along the existing City Limits boundary, a distance of 505.04 feet, more or less, to the east shoreline of the Spokane River, said point being "Point A";

thence leaving said existing City Limits Boundary, northeasterly along said east shoreline to a point on the north line of said Lot 18, said point hereinafter referred to as "Point B", said point being on the existing City Limits boundary and bears N27°34'11"E, a distance of 700.29 feet, more or less, from said "Point A";

thence S89°16'35"E along said north line of Lot 18, also being the existing City Limits boundary, a distance of 162.78 feet, more or less;

thence S00°07'28"E, along said existing City Limits boundary, a distance of 50.00 feet;

thence S89°33'05"E, along said existing City Limits boundary, a distance of 22.50 feet;

thence S00°26'55"W, along said City Limits boundary, a distance of 576.47 feet to the POINT OF BEGINNING.

Containing 215,065 square feet (4.94 acres), more or less.

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TRACT B

That portion of Lot 8 of FORT SHERMAN ABANDONED MILITARY RESERVE, according to the plat thereof, recorded in Book "B" of Plats at Page 153A, records of Kootenai County, Idaho, being situated in Section 14, Township 50 North, Range 4 West, Boise Meridian, Kootenai County, Idaho, described as follows:

BEGINNING at the intersection of the north line of said Lot 8 and the westerly right-of-way line of the Burlington Northern Railroad, from which the north 1/4 corner of said Section 14 bears N25°49'52"W a distance of 1,472.23 feet, said point being on the existing City Limits boundary, thence leaving said City Limits boundary S28°12'57"E along said westerly right-of-way line, a distance of 757.31 feet to the intersection of the south line of said Lot 8 and the westerly right-of-way line of the Burlington Northern Railroad, said point being on the existing City Limits boundary;

thence N89°16'35"W along the south line of said Lot, also being the existing City Limits boundary, a distance of 592.23 feet;

thence 131.15 feet along the arc of a 5,779.14-foot radius, non-tangent curve to the left, also being the existing City Limits boundary, through a central angle of 01°18'01", said curve having a long chord which bears N08°32'13"W, a distance of 131.14 feet;

thence N25°33'51"E, along the existing City Limits boundary, a distance of 587.69 feet to the POINT OF BEGINNING.

Containing 217,825 square feet (5.00 acres), more or less.

Jeremy J. Russell
8/4/10
PROFESSIONAL LAND SURVEYOR
LICENSED
13419
STATE OF IDAHO
GEREMY J. RUSSELL

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