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AUG 19 2010

TECHNICAL SUPPORT

Ordinance Number 160
Annexation and Zone Classification of Properties
LOT 1, BLOCK 1, CREEKSIDE ESTATES & TAX PARCELS #21137 & 21524A

097

AN ORDINANCE OF THE CITY OF HAUSER, IDAHO, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR ANNEXATION OF PROPERTY CONSISTING OF APPROXIMATELY THE LEGAL DESCRIPTION OF THE PROPERTY IS LOT 1, BLOCK 1, CREEKSIDE ESTATES & TAX PARCELS #21137 & 21524. THE PROPERTY IS ZONED AS HIGHWAY CORRIDOR ZONING DISTRICT AND PROVIDING FOR THE AMENDMENT TO THE OFFICIAL ZONING MAP, AND PROVIDING FOR AN EFFECTIVE DATE HEREOF:

WHEREAS, the owners of the real property described in Section 1 of this ordinance have petitioned the City Council of the City of Hauser, Idaho for annexation of said properties and

WHEREAS, public hearings were held before both the Planning and Zoning Commission on April 27, 2010 and the City Council on June 9, 2010, in accordance with law, testimony taken, findings of fact and conclusions of law reached; and

WHEREAS, the City Council, based upon the recommendation of the Planning and Zoning Commission and upon its own fact finding, determined that said annexation is provided for under existing law in that the land in questions adjoins the corporate limits, that the proposed zoning is suitable and compatible with surrounding land uses and provisions of the Hauser Comprehensive Plan and that said land uses would fit in with the general development of the City and would be in the best interest of the City of Hauser.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAUSER, KOOTENAI COUNTY, IDAHO AS FOLLOWS:

Section 1: that the land located east of Hauser Lake Road and legally described in this Section is hereby annexed into the City of Hauser:

A PARCEL OF LAND, LOCATED IN THE NORTHEAST QUARTER OF SECTION 19 AND THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 51 NORTH, RANGE 5 WEST OF THE BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

DANIEL J. ENGLISH 4P I 2276045000
KOOTENAI CO. RECORDER Page 1 of 4
BBB Date 08/05/2010 Time 09:09:38
REC-REQ OF THE CDA GROUP
RECORDING FEE: 19.00
2276045000 XK

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COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 19, MONUMENTED BY A 2.5 INCH DIAMETER ALUMINUM CAP MARKED AS NOTED IN CORNER PERPETUATION AND FILING RECORD (CP&F) INSTRUMENT NO. 2044461000, AND LOCATED SOUTH 00°16'13" WEST, 2630.85 FEET FROM THE NORTHEAST CORNER OF SAID SECTION 19, MONUMENTED BY A 2 INCH DIAMETER ALUMINUM CAP MARKED AS NOTED IN CP&F INSTRUMENT NO. 1488033; THENCE, FROM SAID POINT OF COMMENCEMENT, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF SECTION 19, NORTH 88°16'41" WEST, 265.96 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK ONE, CREEKSIDE ESTATES AMENDED, AS RECORDED WITH KOOTENAI COUNTY IN BOOK "K" OF PLATS AT PAGE 239, AND MONUMENTED BY A 5/8 INCH REBAR AND PLASTIC CAP MARKED "ATS P.L.S. #8962" (SIMILAR MONUMENTS HEREINAFTER REFERRED TO AS BEING AN "ATS MONUMENT"), AND BEING THE TRUE **POINT-OF-BEGINNING** FOR THIS DESCRIPTION;

THENCE, FROM SAID TRUE POINT-OF-BEGINNING, ALONG THE SOUTH BOUNDARY LINE OF SAID LOT 1 AND THE WESTERLY EXTENSION THEREOF, NORTH 88°16'41" WEST, 1108.07 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK TWO OF SAID PLAT AND MARKED BY AN "ATS MONUMENT";

THENCE, NORTH 00°11'11" WEST, 597.85 FEET ALONG THE WEST RIGHT-OF-WAY LINE OF HAUSER LAKE ROAD TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF AFOREMENTIONED LOT 1, BLOCK ONE;

THENCE, SOUTH 88°02'06" EAST, 1108.52 FEET TO THE NORTHEAST CORNER THEREOF AND MARKED BY AN "ATS MONUMENT";

THENCE, NORTH 00°09'35" WEST, 629.14 FEET TO THE MOST SOUTHERLY CORNER OF LOT 7, BLOCK THREE, HOLLISTER HILLS, AS RECORDED WITH KOOTENAI COUNTY IN BOOK "E" OF PLATS AT PAGE 225, SAID POINT BEING MONUMENTED BY A 1.5 INCH DIAMETER ALUMINUM CAP MARKED "PLS 818";

THENCE, ALONG THE SOUTHERLY BOUNDARY LINE OF BLOCK THREE OF SAID PLAT, NORTH 72°33'25" EAST, 786.11 FEET TO THE SOUTHEAST CORNER OF LOT 4, BLOCK THREE, OF SAID PLAT, MONUMENTED BY A 1.5 INCH DIAMETER ALUMINUM CAP MARKED "PLS 818";

THENCE, CONTINUING ALONG THE SOUTH LINE OF SAID BLOCK THREE, NORTH 76°26'55" EAST, 195.99 FEET TO THE NORTHEAST CORNER OF THAT PARTICULAR PARCEL OF LAND DESCRIBED IN THE CORRECTION WARRANTY DEED RECORDED AS KOOTENAI COUNTY RECORDER'S INSTRUMENT NO. 2096691, HEREINAFTER REFERRED TO AS THE "2096691 PARCEL", MONUMENTED BY A 5/8 INCH REBAR AND CAP MARKED "PLS 3451";

THENCE, ALONG THE EAST LINE OF SAID "2096691 PARCEL", SOUTH 00°24'24" WEST, 927.42 FEET TO THE SOUTHEAST CORNER THEREOF, BEING SITUATED ON THE NORTH LINE OF THE RIGHT-OF-WAY FOR STATE HIGHWAY NO. 53, AND BEING MONUMENTED BY A 5/8 INCH REBAR WITH A PLASTIC CAP MARKED "PLS 3451";

THENCE, ALONG SAID NORTH LINE OF THE RIGHT-OF-WAY FOR STATE HIGHWAY NO. 53, SOUTH 58°13'18" WEST, 1094.60 FEET, TO SAID TRUE POINT-OF-BEGINNING.

THE DESCRIBED PARCEL CONTAINS 38.330 ACRES, MORE OR LESS.

The aforementioned parcel(s) shall be zoned Highway Corridor Zoning District.

Section 2: The official Zoning Map of the City of Hauser shall be modified to include the lands described in Section 1 and to reflect the zoning applied thereto.

Section 3: That this Ordinance shall take effect and be in full force and effect upon its passage, approval and publication according to the law.

Enacted as an ordinance of the City of Hauser, Idaho, at a meeting of the City Council held on June 9, 2010.

CITY OF HAUSER

BY: 
OLITA JOHNSTON, MAYOR

ATTEST: 
Donna Ray, CLERK

