

ORDINANCE NO. 1194

036

ANNEXATION & ZONE CLASSIFICATION OF PROPERTY

**Portion of Section 35, T51N, R5W B.M.
12.397 Acres Located East of Syringa Street and North of Horsehaven Avenue
(File No. A-09-01 – The Crossings Annexation)**

AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR ANNEXATION OF PROPERTY CONSISTING OF APPROXIMATELY 12.397 ACRES, LOCATED IN SECTION 35, TOWNSHIP 51 NORTH, RANGE 5 WEST BOISE MERIDIAN AND ZONING SAID ANNEXED PROPERTY AS T-3 (SUBURBAN) AND T-4 (GENERAL URBAN); PROVIDING FOR THE AMENDMENTS TO THE OFFICIAL ZONING AND SMARTCODE ZONING/REGULATING PLAN MAPS AS APPLICABLE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF:

WHEREAS, Post Falls Ordinance No. 1176 identifies that newly annexing properties shall request annexation under SmartCode regulations; and

WHEREAS, the owners of the real property described in Section 1 of this Ordinance have petitioned the City Council of the City of Post Falls for annexation of said property and zoning as T-3 and T-4; and

WHEREAS, public hearings were held before both the Planning and Zoning Commission on 01/12/10 and City Council on 02/16/2010, in accordance with law, testimony taken, findings of fact and conclusions 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 question adjoins the corporate limits, that the proposed zoning is suitable and compatible with surrounding land uses and provisions of the Post Falls 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 Post Falls.

NOW, therefore, be it ordained by the City Council of the City of Post Falls, Idaho, as follows:

SECTION 1: That the following described property is contiguous and adjacent to the City of Post Falls, to wit:

A PARCEL OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 35, TOWNSHIP 51 NORTH, RANGE 5 WEST, BOISE MERIDIAN, KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NORTH QUARTER CORNER OF SAID SECTION 35, FROM WHICH THE CENTER QUARTER CORNER OF SAID SECTION 35 BEARS SOUTH

00°36'10" WEST, 2641.44 FEET; THENCE FROM SAID POINT OF COMMENCEMENT SOUTH 00°36'10" WEST, 660.36 FEET ALONG THE WEST LINE OF SAID NORTHEAST QUARTER TO THE POINT OF INTERSECTION WITH THE NORTH LINE OF TRACT 13, POST FALLS IRRIGATED TRACTS, AS RECORDED IN BOOK "C" OF PLATS AT PAGE 78, RECORDS OF KOOTENAI COUNTY, IDAHO AND BEING THE TRUE **POINT-OF-BEGINNING** FOR THIS DESCRIBED PARCEL OF LAND;

THENCE ALONG THE WESTERLY EXTENSION OF SAID NORTH LINE AND CONTINUING ALONG SAID NORTH LINE SOUTH 88°57'48" EAST, 663.85 FEET TO THE NORTHEAST CORNER OF SAID TRACT 13. SAID CORNER BEING COINCIDENT WITH THE SOUTHWEST CORNER OF LOT 6, BLOCK 2, DECROFF SECOND ADDITION, AS RECORDED IN BOOK "E" OF PLATS AT PAGE 175, RECORDS OF KOOTENAI COUNTY, IDAHO;

THENCE NORTH 00°39'58" EAST, 10.00 FEET ALONG THE WEST BOUNDARY OF SAID LOT 6 TO A POINT;

THENCE SOUTH 88°57'48" EAST, 165.80 FEET PARALLEL WITH AND 10.00 FEET NORTH OF THE SOUTH LINE OF SAID LOT 6 TO THE POINT OF INTERSECTION WITH THE EAST LINE OF SAID LOT 6;

THENCE SOUTH 00°39'58" WEST, 10.00 FEET ALONG SAID EAST LINE TO THE SOUTHEAST CORNER OF SAID LOT 6;

THENCE SOUTH 88°57'48" EAST, 365.37 FEET ALONG THE NORTH LINE OF TRACT 14 TO A POINT THAT IS 132.68 FEET WESTERLY OF THE NORTHEAST CORNER THEREOF;

THENCE SOUTH 00°43'46" WEST, 681.07 FEET PARALLEL WITH AND 132.68 FEET WESTERLY OF THE EAST LINE OF SAID TRACT 14 TO THE POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF HORSEHAVEN AVENUE;

THENCE NORTH 88°55'44" WEST, 332.21 FEET ALONG SAID SOUTH RIGHT-OF-WAY LINE TO A POINT;

THENCE LEAVING SAID SOUTH RIGHT-OF-WAY LINE NORTH 00°39'58" EAST, 240.54 FEET TO A 5/8" REBAR AND CAP MARKED "PE/PLS 3451";

THENCE NORTH 88°55'44" WEST, 198.21 FEET TO A POINT ON THE WEST LINE OF SAID TRACT 14 AND MARKED BY A 5/8" REBAR AND CAP MARKED "PE/PLS 3451";

THENCE NORTH 00°39'58" EAST, 8.17 FEET ALONG SAID WEST LINE TO A POINT THAT IS 208.7 FEET NORTH OF THE SOUTHEAST CORNER OF AFOREMENTIONED TRACT 13. SAID POINT IS MARKED BY A 1/2" REBAR;

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THENCE NORTH 88°55'44" WEST, 208.71 FEET PARALLEL WITH THE SOUTH LINE OF SAID TRACT 13 TO A POINT THAT IS 208.71 FEET WEST OF THE EAST LINE OF SAID TRACT 13. SAID POINT IS MARKED BY A ½" REBAR;

THENCE NORTH 00°39'58" EAST, 208.71 FEET PARALLEL WITH THE EAST LINE OF SAID TRACT 13 TO A POINT THAT IS 417.42 FEET NORTH OF THE SOUTH LINE OF SAID TRACT 13;

THENCE NORTH 88°55'44" WEST, 208.71 FEET PARALLEL WITH THE SOUTH LINE OF SAID TRACT 13 TO A POINT THAT IS 417.42 FEET WEST OF THE EAST LINE OF SAID TRACT 13;

THENCE SOUTH 00°39'58" WEST, 133.87 FEET PARALLEL WITH THE EAST LINE OF SAID TRACT 13 TO A POINT;

THENCE NORTH 88°55'44" WEST, 246.05 FEET TO A POINT ON THE CENTERLINE OF SYRINGA STREET;

THENCE NORTH 00°36'10" EAST, 356.82 FEET ALONG SAID CENTERLINE TO THE **POINT-OF-BEGINNING** FOR THIS DESCRIBED PARCEL OF LAND;

SAID DESCRIBED PARCEL CONTAINS 12.397 ACRES (540,007 S.F.) MORE OR LESS.

SECTION 2: That lands described in Section 1 of this Ordinance shall be annexed to the City of Post Falls and zoned for T-3 (Suburban) and T-4 (General Urban) SmartCode transects, with such transects providing for civic elements to be developed in conformance with the SmartCode Zoning/Regulating Plan Map. T-3 zoning shall be applied to the northern 135 feet of the above identified legal description while the balance of the legal shall be provided T-4 zoning. The Official Zoning Map and SmartCode Zoning/Regulating Plan Maps of the City of Post Falls shall be modified to include the lands described in Section 1 and to reflect the T-3 and T-4 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 law.

Enacted as an ordinance of the City of Post Falls, Idaho, at a meeting of the City Council held on the

16th day of March, 2010.

CITY OF POST FALLS

BY: Wayne Clay Larkin
Clay, Larkin, Mayor

ATTEST: Carol Fairhurst
Carol Fairhurst, City Clerk



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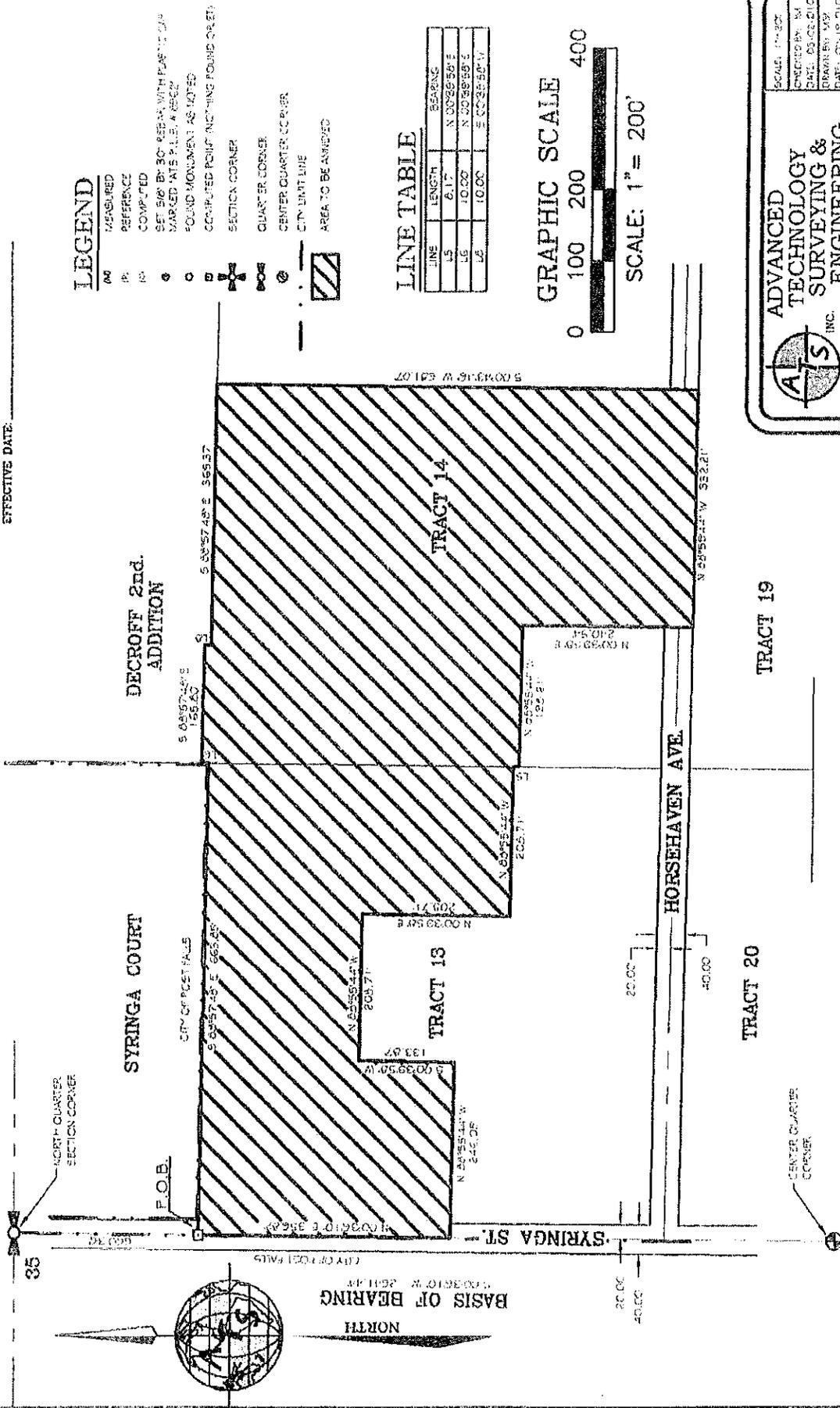
APR 05 2010

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EXHIBIT

SECTION 35, TOWNSHIP 51 NORTH, RANGE 05 WEST, B.M.,
KOOTENAI COUNTY, IDAHO

CITY OF POST FALLS ORDINANCE NO. 1194
EFFECTIVE DATE:



LEGEND

- AM MEASURED
- P REFERENCE
- COMPUTED
- SEE 516' BY 30' AREA WITH PART OF 25' MARKED WITH PILE & BEEL
- FOUND MONUMENT AS NOTED
- CORRUPTED POINT (NOTHING FOUND OR 2')
- SECTION CORNER
- QUARTER CORNER
- CENTER QUARTER CORNER
- CITY UNIT LINE
- AREA TO BE ANNEXED

LINE TABLE

| LINE | LENGTH | BEARING |
|------|--------|--------------|
| L5 | 6.17 | N 00°56'50"E |
| L6 | 10.00 | N 00°58'58"E |
| L6 | 10.00 | E 00°35'50"W |

GRAPHIC SCALE



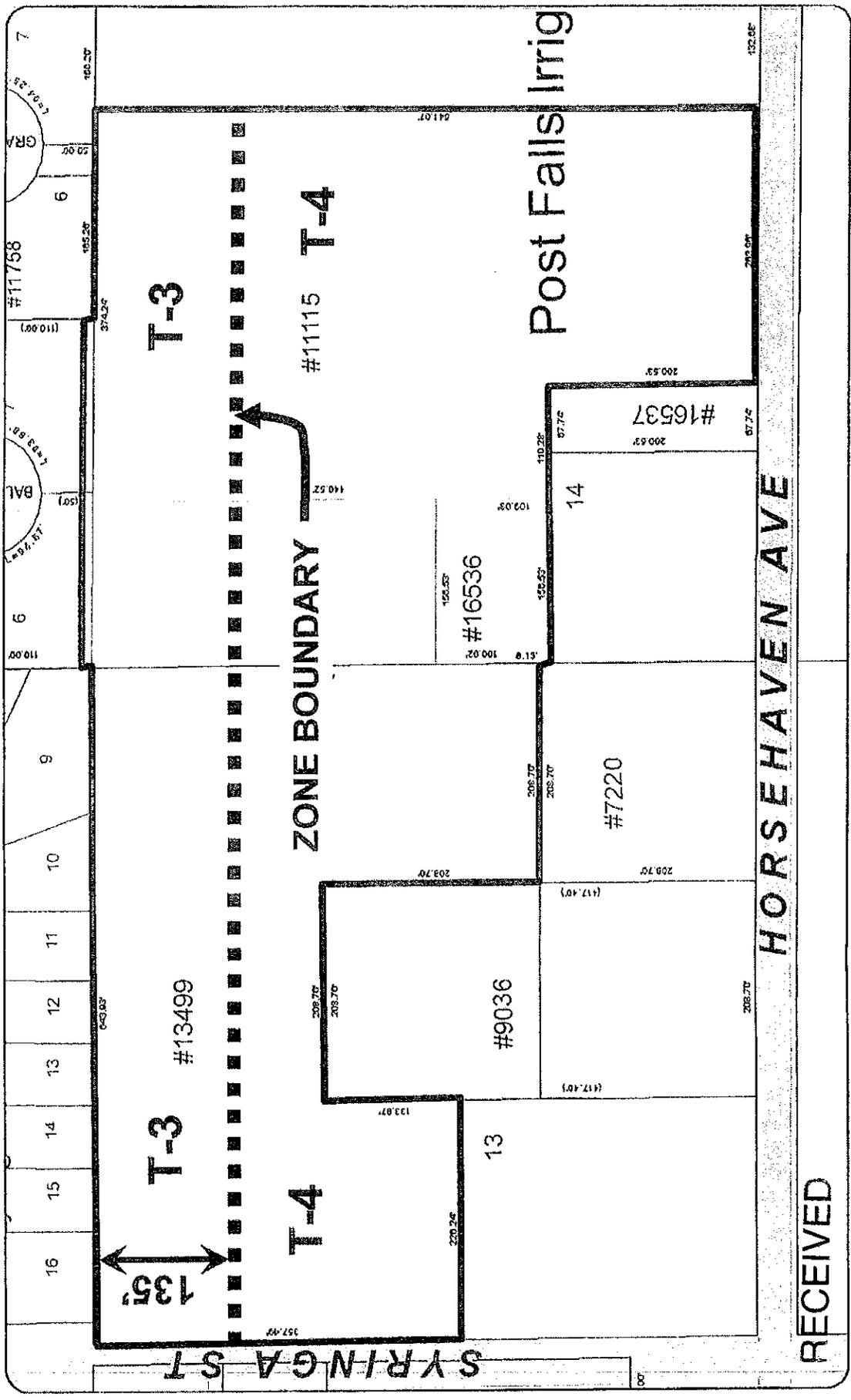
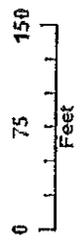
SCALE: 1" = 200'

ATS INC.
ADVANCED TECHNOLOGY SURVEYING & ENGINEERING
 P.O. BOX 9457, HAYDEN IDAHO, 83405
 • PH. (208) 772-2745 • FAX (208) 762-7731

SCALE: 1"=200'
 CHECKED BY: SA
 DATE: 03/22/10
 DRAWN BY: MSA
 DATE: 03-18-10
 TITLE: SURVEY/PLAT
 PROJ: 03-04-10



THE CROSSINGS ANNEXATION
ZONING BOUNDARY MAP
 FILE No. A-09-01 - 11.95 ACRES APPROX.



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Clerk's Department

March 30, 2010

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Idaho State Tax Commission
P.O. Box 36
800 Park Plaza IV
Boise, ID 83722

TECHNICAL SUPPORT

Attention: Jeff Servatius

RE: Ordinance No. 1194

The City of Post Falls has annexed additional land and passed Ordinance No. 1194 on March 16, 2010. Enclosed please find recorded Ordinance and map.

If you have any questions, please feel free to contact the Post Falls Community Development Department, Planning Division at 773-8708.

Sincerely,

Carol Fairhurst, CMC
City Clerk