

ADA COUNTY RECORDER Christopher D. Rich  
BOISE IDAHO 04/26/11 03:09 PM  
DEPUTY Vicki Allen  
RECORDED - REQUEST OF  
Boise City

AMOUNT .00 5



111034825

ORDINANCE NO. 6810

BY THE COUNCIL:

CLEGG, EBERLE, JORDAN, MCLEAN,  
SHEALY AND THOMSON

**AN ORDINANCE (CAR10-00011 / JOHN KIRTLAND) FOR PROPERTY LOCATED AT 8787 W. VICTORY ROAD AND 3010 S. VICTORY VIEW CIRCLE, ANNEXING CERTAIN LANDS AND TERRITORY, SITUATED IN ADA COUNTY, IDAHO, AND ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF BOISE CITY; ESTABLISHING AND DETERMINING THE LAND USE CLASSIFICATION OF SAID LANDS AS R-1A (SINGLE FAMILY RESIDENTIAL 2.1 DWELLINGS UNITS/ACRE); PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY AUDITOR, THE ADA COUNTY ASSESSOR, THE ADA COUNTY TREASURER, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION; PROVIDING THAT A COPY OF LEGAL DESCRIPTION AND MAP OF SAID LANDS AND TERRITORY BE RECORDED WITH THE ADA COUNTY RECORDER AND FILED WITH THE ADA COUNTY ASSESSOR AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the owner of the lands and territory, situated in Ada County and as particularly described in Section One of this ordinance, has requested, in writing, annexation of said lands by the City of Boise; and

**WHEREAS**, the Boise City Council has found and determined that said lands and territory are contiguous and adjacent to Boise City and that annexation of said lands can reasonably be used for orderly development of Boise City; and

**WHEREAS**, the Boise City Planning & Zoning Commission, pursuant to public notice as required by law, held a public hearing on February 7, 2011, and recommended to the Mayor and Council that annexation be approved and said lands be zoned R-1A (Single Family Residential 2.1 Dwelling Units/Acre); and

**WHEREAS**, the Boise City Council, pursuant to public notice as required by law, held a public hearing on March 15, 2011, on the proposed zoning for the property described in Section One below, all as required by Idaho Code, Section 67-6525.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:**

O-11-11

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**Section 1.** The lands and territory situated in Ada County, Idaho, adjacent and contiguous to the City of Boise City, Idaho, particularly described in Exhibits "A" & "B" which is annexed hereto and by reference made a part of this ordinance as set forth herein, be, and the same are hereby, annexed to and incorporated in the territorial limits of the City of Boise City, Idaho.

**Section 2.** From and after the effective date of this ordinance, all property included within the boundaries and territory described in Section 1 hereof and annexed as provided by said Section shall be subject to all statutes pertaining to Boise City and all ordinances, resolutions, police regulations, taxation and other powers of Boise City, and all persons and property within the territory so annexed shall be and are entitled to all benefits and rights as are the persons and property presently within the corporate territorial limits of Boise City.

**Section 3.** The City Engineer of Boise City is hereby directed to lodge and file with the City Clerk of Boise City within ten (10) days after the passage and approval hereof, a legal description and map prepared in a draftsmanlike manner which shall plainly and clearly designate the boundaries of the lands and territory annexed, pursuant to the provisions of Section 1 hereof.

**Section 4.** Pursuant to the findings of the Boise City Council, the land use classification of the lands described in Exhibits "A," and "B" annexed hereto and by reference made a part thereof is hereby fixed and established as R-1A ( Single Family Residential-2.1 Dwelling Units/Acre), all as provided by the Zoning Ordinance of Boise City. The reasoned statement is:

The Boise City Comprehensive Plan Land Use Map designates this parcel as Estate Density 3 DU/acre. The Land Use/Zoning Consistency Matrix indicates R-1A (Single Family Residential-2.1 Dwelling Units / Acre) as compatible or appropriate under this designation. Annexation of the site will facilitate the orderly expansion of city boundaries and will conform to the Level of Service standards found in Figure 10-1 of the Comprehensive Plan. The annexation will not adversely affect public services or the public transportation system. Victory Road is operating at better than "level of service D". City services such as sewer, police, and fire are already available to the site. The proposed zoning will help maintain and preserve compatibility with surrounding zoning and development. The parcels west and south of the site are zoned R-1 (Ada County- Estate Density, 1 DU/acre) and developed with single-family homes. To the north is a single-family home (R-1A) and a light industrial office/manufacturing complex zoned (M-1D Light Industrial with Design Review). To the west is a single-family home zoned RSW (Southwest Community Residential, 1DU/2½ acres).

**Section 5.** The zoning maps of Boise, Idaho, as the same are provided in Section 11-2-1.2,

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Boise City Code, are hereby changed, altered, and amended to include the real property described in Section 4 above in the land use classification therein described.

**Section 6.** The City Clerk of Boise City is hereby directed to file, within ten (10) days after the passage and approval hereof, a certified copy of this Ordinance with the Ada County Auditor, the Ada County Treasurer, the Ada County Assessor, and the Idaho State Tax Commission, and to file a copy of said legal description and map, as prepared and lodged with the City Clerk by the City Engineer, with the Ada County Assessor, Ada County Recorder, and the Idaho State Tax Commission, as provided by Sections 50-223 and 63-215, Idaho Code.

**Section 7.** That this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

**PASSED** by the Council of the City of Boise, Idaho, this 19th day of April, 2011.

**APPROVED** by the Mayor of the City of Boise, Idaho this 19th day of April, 2011.

**APPROVED:**

**ATTEST:**



David H. Bieter  
MAYOR



Debbie Broughton  
EX-OFFICIO CITY CLERK



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# BOISE CITY ANNEXATION

## CAR10-00011

## Exhibit A

### Section 25 Township 3N Range 1E

### Acres ±2.05



This map is made from data copyrighted by Ada County. Ada County shall not be liable for inaccuracies or misuse of this map. Maps bearing this disclaimer may be photocopied freely. However, use in any digital form requires the written permission of Ada County.

This drawing is to be used only for reference purposes; Boise City is not responsible for any inaccuracies herein contained.



## ANNEXATION

ORDINANCE # 6810

EFFECTIVE DATE 4/25/11

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BOISE CITY ANNEX

A parcel of land being all of Lots 6 and 7, Block 1, Victory View Acres, Book 19 of Plats, Page 1288, records of Ada County, Idaho, excepting therefrom a public right-of-way for Victory Road, lying in a portion of the West 1/2 of the Northwest 1/4 of Section 25, T.3N., R.1E., Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

COMMENCING at the Northwest corner of said Section 25, marked by a found Brass Cap monument; thence, along the North line of said Section 25, South 89°35'54" East, 699.52 feet; thence, leaving said North line, South 00°24'16" West, 42.11 feet to the Southerly right-of-way of said W. Victory Road, marked by a set 5/8" iron pin tagged PLS 11463, the Point of Beginning;

Thence, along said right-of-way, North 87°51'07" East, 25.02 feet to a set 5/8" iron pin tagged PLS 11463;

Thence, along said right-of-way, South 89°35'54" East, 117.95 feet to the common line between Lots 6 & 7, Block 1, said Victory View Acres, marked by a set 5/8" iron pin tagged PLS 11463,

Thence, along said right-of-way, South 89°35'54" East, 140.00 feet to a set 5/8" iron pin tagged PLS 11463;

Thence, along said right-of-way, South 44°41'09" East, 14.17 feet to the Westerly right-of-way of S. Victory View Circle, marked by a set 5/8" iron pin tagged PLS 11463;

Thence, along said Westerly right-of-way, South 00°13'36" West, 282.23 feet to the Southeast corner of said Lot 6, marked by a found 1/2" iron pin, set tag PLS 11463;

Thence, along the Southerly line of said Lot 6, North 89°57'01" West, 150.26 feet to the common line between Lots 6 & 7, Block 1, said Victory View Acres, marked by a found 1/2" iron pin tagged LS 4347;

Thence, along the Southerly line of said Lot 7, South 72°05'14" West, 83.71 feet to a found 1/2" iron pin tagged LS 4347;

Thence, along said Southerly line, South 60°35'00" West, 56.42 feet to the Southwest corner of said Lot 7, from which a 1/2" iron pin Witness Corner tagged PLS 11463 bears, South 50°46'24" East, 1.00 feet;

Thence, along the common line between Lots 7 & 8, Block 1, said Victory View Acres, North 16°54'24" West, 48.00 feet, to a set 5/8" iron pin tagged PLS 11463;

Thence, along said common line, North 00°13'57" East, 300.56 feet to the Point of Beginning.

Said parcel contains 2.049 acres more or less and is subject to any easements or reservations of record or in use on or across the above-described parcel of land.



**LEGAL NOTICE  
ORDINANCE NO. 6810**

BY THE COUNCIL: CLEGG, EBERLE, JORDAN, MCLEAN, SHEALY AND THOMSON

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Section 5. The zoning maps of Boise, Idaho, as the same are provided in Section 11-2-1.2, Boise City Code, are hereby changed, altered, and amended to include the real property described in Section 4 above in the land use classification therein described.

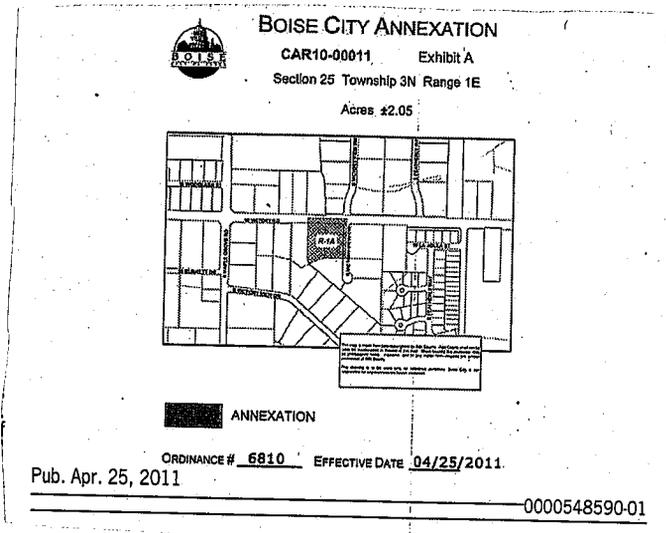
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PASSED by the Council of the City of Boise, Idaho, this 19th day of April, 2011.

APPROVED by David H. Bieter, the Mayor of the City of Boise, Idaho this 19th day of April, 2011.

ATTEST: Debbie Broughton  
EX-OFFICIO CITY CLERK



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CITY OF BOISE

**To:** Mayor and Council

**FROM:** Susan Riggs

**ORDINANCE NUMBER:** O-11-11

**DATE:** March 22, 2011

**SUBJECT:** CAR10-00011

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**ACTION REQUIRED:** Three Readings

**RECOMMENDATION:** Approval

**FISCAL IMPACT/BUDGET IMPLICATIONS:** None

**BACKGROUND:** The Boise City Council, at their meeting of March July 14, 2010, approved a request to annex  $\pm$  2.05 acres located at 8787 W. Victory Road and 3010 S. Victory View Circle with R-1A (Single Family Residential-2.1 Dwelling Units / Acre) zoning.

**ATTACHMENTS:** Ordinance, Exhibit A & Exhibit B

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