

ADA COUNTY RECORDER Christopher D. Rich MOUNT .00 8
BOISE IDAHO 07/27/11 04:25 PM
DEPUTY Vicki Allen
RECORDED - REQUEST OF
Eagle City 111060272

Re-record

ADA COUNTY RECORDER Christopher D. Rich AMOUNT .00 8
BOISE IDAHO 08/30/11 09:49 AM
DEPUTY Vicki Allen
RECORDED - REQUEST OF
Eagle City 111052581

088 COPY

ADA COUNTY RECORDER Christopher D. Rich AMOUNT .00 6
BOISE IDAHO 08/30/11 02:54 PM
DEPUTY Lisa Batt
RECORDED - REQUEST OF
Eagle City 111070311

Rerecord

*3/30 RERECORD TO ADDRESS STATE TAX COMMISSION'S CONCERN W/ MAP
Rerecording to notarize the Council President's Signature*

ORDINANCE NO. 662

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF EAGLE, TO THE CITY OF EAGLE, IDAHO; CHANGING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY DESCRIBED HEREIN FROM RUT (RURAL-URBAN TRANSITION) TO MU-DA (MIXED USE WITH A DEVELOPMENT AGREEMENT); AMENDING THE ZONING MAP OF THE CITY OF EAGLE TO REFLECT SAID CHANGE; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Eagle, Idaho 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 in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, the owner of the real property situated in the unincorporated area of Ada County and particularly described in Exhibit "A" of this ordinance has requested, in writing, annexation of said real property to the City of Eagle; and

WHEREAS, the owner of the real property situated within the City of Eagle and particularly described in Exhibit "A" of this ordinance has requested, in writing, a rezone from RUT to MU-DA; and

WHEREAS, the property described in Exhibit "A" is identified by the Ada County Assessor's Office as parcels number S0516131220 and S0516131315; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on September 18, 2006, as required by Section 67-6525, Idaho Code, and made a recommendation to the Mayor and Council; and

WHEREAS, the Eagle City Council, pursuant to public notice as required by law, held a public hearing on May 22, 2007, on the proposed annexation and zoning for the real property described in Exhibit "A", and as required by Section 67-6525, Idaho Code, made findings and determined that the requested annexation should be granted and that a zoning classification of MU-DA for the property described in Exhibit "A" is appropriate to meet the requirements of Idaho Code, Eagle City Code and the Eagle Comprehensive Plan and should be granted.

RECEIVED

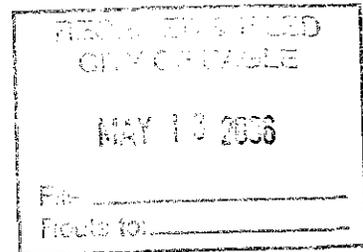
SEP 07 2011

TECHNICAL SUPPORT

TOOTHMAN-ORTON ENGINEERING COMPANY

CONSULTING ENGINEERS, SURVEYORS AND PLANNERS

9777 CHINDEN BOULEVARD
BOISE, IDAHO 83714-2008
208-323-2288 • FAX 208-323-2399
boise@toengrco.com



Project: 05089
Date: March 24, 2006
Page: 1 of 2

EXHIBIT "A"

Land Description of Property for Annexation / Re-zone
To the City of Eagle, Idaho

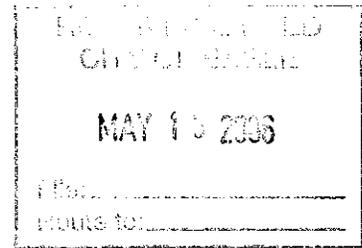
A parcel of land located in the West ½ of the East ½ of Section 16, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

COMMENCING at the North Quarter corner of said Section 16, from which the Center of said Section 16, bears S.00°45'44"W., 2641.36 feet; thence, along the longitudinal centerline of said Section 16,

- A) S.00°45'44"W., 1320.43 feet to the Northwest corner of Government Lot 2 of said Section 16, marking the **POINT OF BEGINNING**; thence, along said longitudinal centerline,
- 1) N.00°45'44"E., 67.68 feet; to the centerline of E. Riverside Drive; thence, along said centerline of E. Riverside Drive the following courses:
 - 2) Southeasterly along a curve to the left having a radius of 595.00 feet, an arc length of 12.63 feet, through a central angle of 1°12'59", and a long chord of S.79°49'39"E., 12.63 feet; thence, along a line tangent from said curve,
 - 3) S.80°26'09"E., 67.16 feet; to the beginning of a tangent curve; thence,
 - 4) Southeasterly along a curve to the left having a radius of 450.00 feet, an arc length of 74.10 feet, through a central angle of 9°26'06", and a long chord of S.85°09'11"E., 74.02 feet; thence, along a line tangent from said curve,
 - 5) S.89°52'14"E., 956.22 feet; thence, leaving said street centerline,
 - 6) S.00°36'34"W., 747.49 feet to a point on the North toe of the Flood Control Levee; thence, along said North toe;
 - 7) S.55°18'38"E., 266.14 feet to the East line of said Government Lot 2; thence, along the east line of said Government Lot 2 and the southerly extension thereof, to a point on the mean high water line of the Boise River, as shown on Record of Survey No. 2255, records of Ada County, Idaho,
 - 8) S.00°36'34"W., 567.68 feet to the mean high water line of the Boise River; thence, along said mean high water line, the following courses:
 - 9) N.73°07'56"W., 235.65 feet; thence,

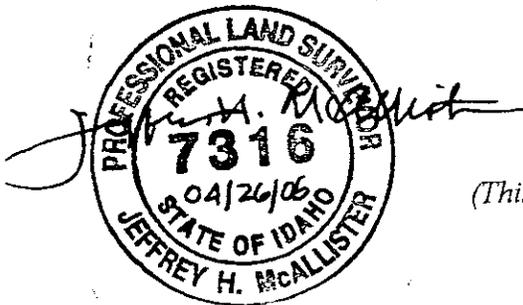
TOOTHMAN-ORTON ENGINEERING COMPANY

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- 10) N.50°10'17"W., 143.59 feet; thence,
- 11) N.40°45'22"W., 186.59 feet; thence,
- 12) N.18°08'13"W., 125.82 feet; thence,
- 13) N.53°53'47"W., 152.74 feet; thence
- 14) N.18°10'47"W., 87.65 feet; thence,
- 15) N.03°23'59"W., 86.85 feet; thence,
- 16) N.64°08'39"W., 130.83 feet; thence,
- 17) N.70°12'19"W., 134.89 feet; thence,
- 18) N.71°00'50"W., 84.43 feet; thence,
- 19) N.05°34'28"W., 34.39 feet; thence,
- 20) S.89°17'03"W., 68.07 feet; thence,
- 21) S.75°14'09"W., 283.81 feet to a point on the westerly line of said Government Lot 2; thence, along said westerly line,
- 22) N.00°45'44"E., 648.29 feet to the **POINT OF BEGINNING**.

CONTAINING: 25.37 acres, more or less.



(This description is for Annexation purposes only!)

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF EAGLE, IDAHO, as follows:

Section 1: The Eagle City Council hereby finds and declares that the real property particularly described in Exhibit "A", attached hereto and incorporated herein by reference, 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.

Section 2: The real property, all situated in Ada County, Idaho, adjacent and contiguous to the City, particularly described in Exhibit "A" and as generally shown on Exhibit "B", attached hereto and included herein by reference, is hereby annexed to the incorporated territorial limits of the City of Eagle, Idaho.

Section 3: The City Council hereby finds and determines that the real property particularly described in Exhibit "A" and generally as shown on Exhibit "B", attached hereto and incorporated by reference, is hereby removed from the RUT (Rural-Urban Transition) zoning classification and is hereby included in the MU-DA (Mixed Use with a development agreement) zoning classification all pursuant to the Zoning Ordinance of the City of Eagle. The City Council further finds and determines that said zone change is in accordance with the Eagle Comprehensive Plan and relevant City Codes and that the Zoning Map of the City is hereby amended to include the real property described in Exhibit "A" in the MU-DA zoning district.

Section 4: 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 Eagle.

Section 5: The City Clerk is hereby directed to file a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada 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 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

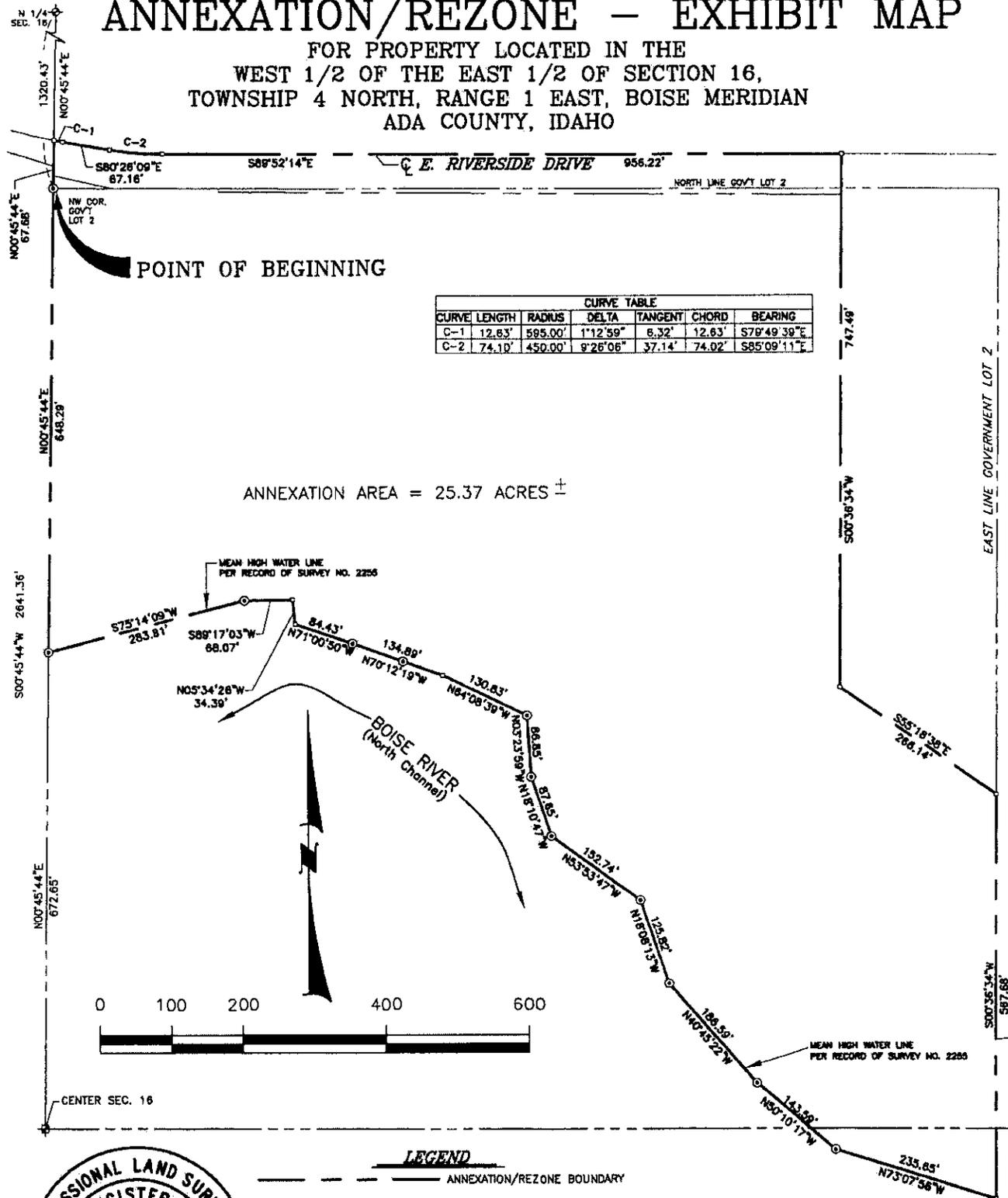
Section 6: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

EXHIBIT B

ANNEXATION/REZONE — EXHIBIT MAP

FOR PROPERTY LOCATED IN THE
WEST 1/2 OF THE EAST 1/2 OF SECTION 16,
TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN
ADA COUNTY, IDAHO

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- LEGEND**
- ANNEXATION/REZONE BOUNDARY
 - - - SECTIONAL LINE
 - FOUND 5/8" REBAR
 - CALCULATED POINT
 - ⊕ FDUNO ALUMINUM CAP
 - ⊕ FDUND BRASS CAP

FOR ANNEXATION PURPOSES ONLY!

TOOTHMAN-ORTON ENGINEERING CO.
ENGINEERS • SURVEYORS • PLANNERS
9777 CHINDEN BOULEVARD • BOISE, IDAHO 83714-2008
PHONE: 208-323-2288 • FAX: 208-323-2399
E-FILE: H:\05089\ExhMAP-Annexation.DWG DATE: 04/24/06 JOB: 05089



James D. Reynolds
Mayor

City of Eagle

P.O. Box 1520
Eagle, Idaho 83616

208-939-6813

Council Members:
John Grasser
Michael Huffaker
Norm Semanko
Al Shoushtarian

September 6, 2011

Idaho State Tax Commission
P.O. Box 36
Boise, Id 83722

Dear Sir or Madame:

Enclosed herewith please find a copy of Ordinance No. 662 that annexes property into the City of Eagle that was re-recorded on August 30, 2011, correcting the mapping and legal description error. Also enclosed is the Clerk Certification for the ordinance.

If you have any questions I can be reached at Eagle City Hall, 489-8781.

Sincerely,

Tracy E. Osborn, CMC
Sr. Deputy City Clerk/Treasurer

Encl.



James D. Reynolds
Mayor

City of Eagle

P.O. Box 1520
Eagle, Idaho 83616

208-939-6813

Council Members:
John Grasser
Michael Huffaker
Norm Semanko
Al Shoushtarian

CLERK'S CERTIFICATION

STATE OF IDAHO)

: ss.

County of Ada)

I, Tracy E. Osborn, the duly appointed, qualified and acting Sr. Deputy City Clerk/Treasurer of the City of Eagle, County of Ada, State of Idaho, do hereby certify that the attached is a full, true and complete copy of Ordinance No. 662, passed and approved on the 28th day of June, 2011, re-recorded on 8/30/11.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Eagle, Idaho, 6th day of September, 2011.


Tracy E. Osborn,
Sr. Deputy City Clerk/Treasurer

