

ORDINANCE NO. 6856

091

BY THE COUNCIL:

CLEGG, EBERLE, JORDAN, MCLEAN,
QUINTANA AND THOMSON

AN ORDINANCE (CAR12-00001 / ANNEXATION / BOISE CITY) ANNEXATION OF 9.2 ACRES OF RIVER LAND TO BE ZONED A-1, LOCATED WEST OF QUINN'S POND, SITUATED IN ADA COUNTY, IDAHO, AND ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF BOISE CITY; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY AUDITOR, THE ADA COUNTY TREASURER, THE ADA COUNTY ASSESSOR, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION; PROVIDING THAT A COPY OF SAID LEGAL DESCRIPTION AND MAP 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 particularly described in Section One of this ordinance, has agreed to annexation of said lands to the city; 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 May 7, 2012, and recommended to the Mayor and Council that annexation be approved and said lands be zoned A-1 (Open Land); and

WHEREAS, the Boise City Council, pursuant to public notice as required by law, held a public hearing on July 10, 2012, 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:

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" attached hereto and by reference made a part of this ordinance as though fully set forth herein, be, and the same are hereby, annexed to and incorporated in the territorial limits of the City of Boise City, Idaho.

RECORDED

O-23-12

SEP 7 2012

TELEPHONE SUPPORT

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 the 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 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" attached hereto and by reference made a part thereof is hereby fixed and established as A-1 (Open Land), as provided by the Zoning Ordinance of Boise City, based on the following reasoned statement:

- A. The proposed annexation complies with and conforms to the Comprehensive General Plan.
- B. The proposed annexation will provide and maintain existing and future capabilities of public utilities.
- C. The proposed annexation will maintain and preserve compatibility of surrounding zoning and development.
- D. The proposed annexation incorporates the Boise Sewer Planning Area.
- E. The proposed annexation honors negotiated Area of Impact Agreements.
- F. The site lies within the Boise Area of Impact Boundary and within the Boise Urban Service Planning Area.
- G. The land lies contiguous or adjacent to Boise City or to any addition or extension thereof.

Section 5. The zoning maps of Boise, Idaho, as the same are provided in Section 11-02-01.2, Boise City Code, are hereby changed, altered, and amended to include the real property described in Exhibit A above in the land use classification of A-1 (Open Land).

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, Ada County Treasurer, 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, all 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 28th day of August, 2012.

APPROVED by the Mayor of the City of Boise, Idaho this 28th day of August, 2012.

APPROVED:

ATTEST:



David H. Bieter
MAYOR



Debbie Broughton
EX-OFFICIO CITY CLERK



BOISE RIVER ANNEXATION DESCRIPTION

Part of the Southwest Quarter of Section 4 and part of the East Half of Section 5, Township 3 North, Range 2 East, Boise Meridian, Ada County, Idaho, described as follows:

Beginning at the southeast corner of said Section 5; thence along the easterly boundary of Section 5 North $0^{\circ}03'11''$ West 888.45 feet to the westerly high water line of the Boise River, the TRUE POINT OF BEGINNING;

Thence along said westerly high water line the following courses;

North $38^{\circ}40'58''$ West 278.58 feet;
North $27^{\circ}43'46''$ West 334.07 feet;
North $11^{\circ}21'08''$ West 450.92 feet;
North $4^{\circ}02'25''$ West 207.21 feet;
North $7^{\circ}03'30''$ West 244.96 feet;
North $6^{\circ}16'52''$ East 224.85 feet;
North $0^{\circ}44'04''$ West 70.21 feet;
North $11^{\circ}31'32''$ East 291.78 feet;
North $1^{\circ}42'56''$ East 267.22 feet to the existing Boise City limits;

Thence leaving said westerly high water line South $21^{\circ}27'53''$ East 356.35 feet along the existing Boise City Limits to a point on the easterly top of bank of the Boise River;

Thence along the easterly top of bank and the existing Boise City Limits South $1^{\circ}34'17''$ West 136.20 feet to a point, from which the East Quarter corner of Section 5 bears North $90^{\circ}00'00''$ East 244.70 feet;

Thence continuing along the easterly top of bank and existing City Limits the following courses;

South $1^{\circ}17'01''$ West 569.21 feet;
South $2^{\circ}54'13''$ East 282.73 feet;
South $13^{\circ}23'24''$ East 467.70 feet;
South $30^{\circ}45'22''$ East 287.06 feet;
South $50^{\circ}00'40''$ East 65.87 feet;

Thence leaving said easterly top of bank South $2^{\circ}05'08''$ East 277.26 feet along the existing Boise City Limits to the westerly high water line of the Boise River;

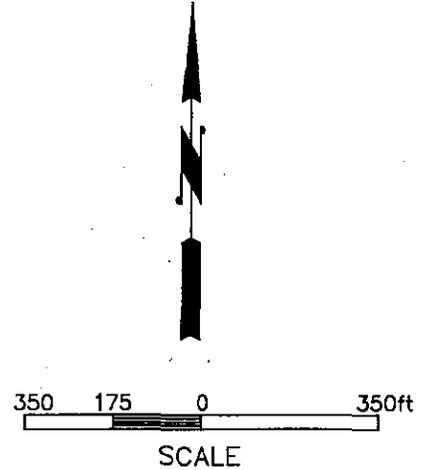
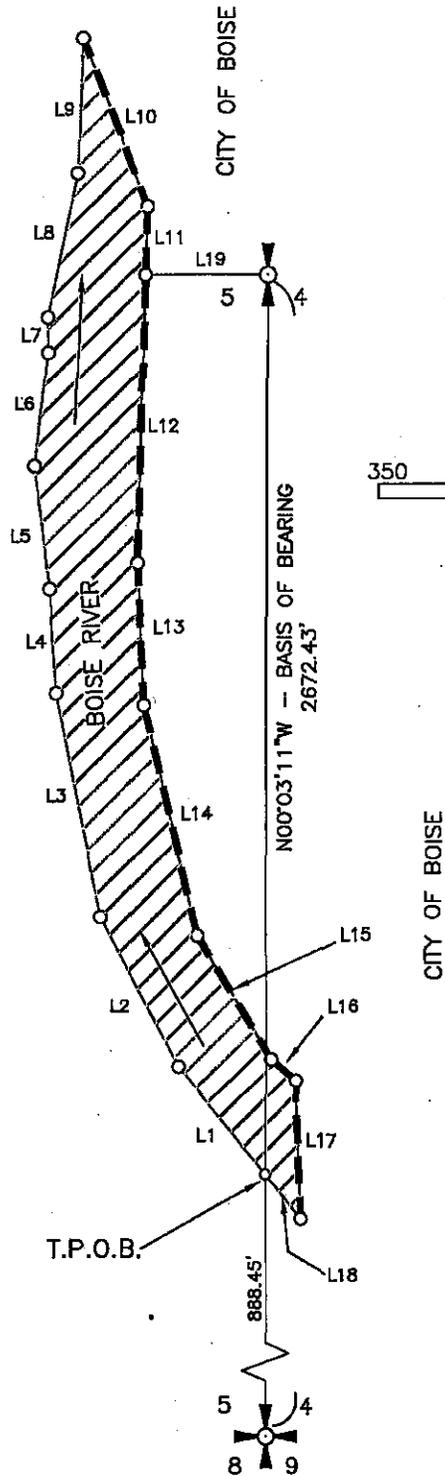
Thence leaving the existing Boise City Limits North $38^{\circ}40'57''$ West 113.41 feet to the TRUE POINT OF BEGINNING.

Described area contains 8.47 Acres more or less.

BOISE CITY LIMITS  ANNEXED AREA (GARDEN CITY TO BOISE CITY) 

PART SW1/4/ SW1/4, SEC 4,
AND E1/2, SEC 5,
T.3.N., R.2E., B.M.
ADA COUNTY, IDAHO

Line Table		
Line #	Length	Direction
L1	278.58	N38° 40' 58"W
L2	334.07	N27° 43' 46"W
L3	450.92	N11° 21' 08"W
L4	207.21	N04° 02' 25"W
L5	244.96	N07° 03' 30"W
L6	224.85	N06° 16' 52"E
L7	70.21	N00° 44' 04"W
L8	291.78	N11° 31' 32"E
L9	267.22	N01° 42' 56"E
L10	356.35	S21° 27' 53"E
L11	136.20	S01° 34' 17"W
L12	569.21	S01° 17' 01"W
L13	282.73	S02° 54' 13"E
L14	467.70	S13° 23' 24"E
L15	287.06	S30° 45' 22"E
L16	65.87	S50° 00' 40"E
L17	277.28	S02° 05' 08"E
L18	113.41	N38° 40' 57"W
L19	244.70	N90° 00' 00"E



BOISE CITY ANNEXATION
CAR-12-1
EXHIBIT 'A'

ORDINANCE NO. _____ ACRES: 8.47 EFFECTIVE DATE: _____