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TECHNICAL SUPPORT

CITY OF BELLEVUE, IDAHO  
ORDINANCE NO. 2012-02

Instrument # 602746  
HAILEY, BLAINE, IDAHO  
11-5-2012 04:14:14 No. of Pages: 20  
Recorded for: CITY OF BELLEVUE  
JOLYNN DRAGE Fee: 0.00  
Ex-Officio Recorder Deputy  
Index to: ORDINANCES

AB

106

AN ORDINANCE OF THE CITY OF BELLEVUE, IDAHO, ANNEXING CERTAIN ADJACENT AND CONTIGUOUS LAND INTO THE CITY OF BELLEVUE, IDAHO; PROVIDING THAT SAID REAL PROPERTY AND ALL PERSONS WITHIN THE LIMITS OF SUCH ANNEXED TRACTS OF LANDS SHALL BE SUBJECT TO THE PROVISIONS OF ALL BYLAWS AND ORDINANCES OF THE CITY OF BELLEVUE, IDAHO; PROVIDING FOR AMENDMENTS TO THE BELLEVUE COMPREHENSIVE PLAN WITH REGARD TO SAID REAL PROPERTY; PROVIDING FOR THE ZONING OF SAID REAL PROPERTY UPON ANNEXATION; PROVIDING FOR THE FILING OF COPIES OF THE ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF BELLEVUE, IDAHO:

SECTION 1. The land lying adjacent and contiguous to the City of Bellevue, Idaho, respectively Tax lots 7558 and 7559 and more particularly described in Exhibit "B" attached hereto and incorporated herein by reference, is hereby declared to be a part of the City of Bellevue, Idaho and is hereby annexed into the City of Bellevue, Idaho.

SECTION 2. From and after the effective date of this ordinance, all lands described in Exhibit A, attached hereto, shall be and are hereby subject to the provisions of all charter, bylaws and ordinances, rules and regulations of the City of Bellevue, Idaho.

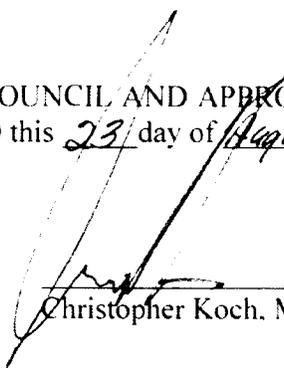
SECTION 3. Pursuant to Idaho Code, the Clerk of the City of Bellevue, Idaho, shall, within ten (10) days following the effective date of this ordinance, file a certified copy of this ordinance with the Blaine County Assessor and the Idaho State Tax Commission.

SECTION 4. The Clerk of the City of Bellevue, Idaho, shall, within ten (10) days following the effective date of this ordinance, cause one (1) copy of the legal description and map prepared in a draftsman like manner which shall plainly and clearly designate the boundaries of the City of Bellevue, Idaho, as altered, to be filed with the Blaine County Recorder, the Blaine County Assessor and the Idaho State Tax Commission.

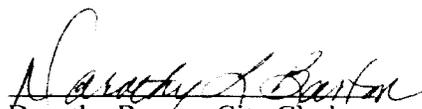
SECTION 5. The above described tracts of land shall be and are hereby given the Land Use Designation of "General Residential" under the provisions of the Bellevue Comprehensive Plan and the Comprehensive Land Use Map of said city is hereby amended to so designate said real property.

SECTION 6. The above described tracts of land shall be and are hereby zoned and classified "General Residential Zoning District" under the provisions of Ordinance Number 86-03, or as amended, of the City of Bellevue, Idaho (the Bellevue Zoning

PASSED BY THE COMMON COUNCIL AND APPROVED BY THE MAJOR  
OF THE CITY OF BELLEVUE, IDAHO this 23 day of August, 2012.

  
\_\_\_\_\_  
Christopher Koch, Mayor

ATTEST:

  
Dorothy Barton, City Clerk



Ordinance) and that the portions of said tract of land are located within the and the Avalanche Overlay District as defined in Ordinance 2007-03.

SECTION 7. Safe Haven Health Care, LLC has requested that the subject property depicted in Exhibit "B" and the City of Bellevue each acknowledge and agree that annexation of the subject property will create burdens for additional public utilities, facilities, and services which are particularly attributable to annexation of the annexation parcels and development of the property, including, but not limited to, on-site and off-site water, sewer, traffic, streets, police, fire, emergency services, recreation, and general service impacts.

SECTION 8. The City and Safe Have Health Care, LLC shall enter into a annexation agreement attached hereto as Exhibit "A" for the purpose of establishing certain rights and obligations of the parties with regard to the annexation of the subject annexation parcels and development of the property, including, but not limited to, the nature, extent, limitations, and timing of development of the property, provision and construction of improvements (public and private, on-site and off-site), payment of certain fees and the provision of other items set forth in the attached annexation agreement that are necessary to minimize the adverse impacts of the annexation and development upon the City, to protect and promote the general health, safety and welfare of the citizens of Bellevue and future occupants of the Property, and to provide sufficient benefits to Bellevue to warrant it annexing the annexation parcel.

SECTION 9. Bellevue has determined that annexing the subject annexation parcels constitutes an orderly extension of its municipal boundaries, and that such annexation is no in conflict with the Bellevue Comprehensive Plan and, subject to this agreement is in the best interests of Bellevue to provide for orderly annexation and development of the property.

SECTION 10. It has been determined that it is in the best interests of Bellevue and Safe Have Health Care, LLC that the annexation parcels be annexed into Bellevue and be developed in accordance with the annexation agreement attached hereto as Exhibit "A".

SECTION 11. If any section or portion of this ordinance is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not effect the validity of the remaining portions of this ordinance.

SECTION 12. This ordinance shall be in full force and effect from and after its passage, approval and publication according to law.

**EXHIBIT "B"**

**A LEGAL DESCRIPTION FOR APPROXIMATELY 9.51 ACRES OF LAND TO BE ANNEXED INTO THE CITY OF BELLEVUE, IDAHO; SAID ANNEXATION LAND CONSISTING OF TWO EXISTING TAX LOTS MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

In Section 25, Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho, a parcel of land within the E1 2, SW1 4, more particularly described as follows:

Commencing at an aluminum cap by L.S. 907 marking the center South 1/16 corner (Northeast corner of the Southeast 1/4 Southwest 1/4), said Section 25, from which the South 1/4 corner of said Section 25 bears South 00° 01' 50" West 1,321.51 feet, also said center South 1/16 corner being the TRUE POINT OF BEGINNING:

Thence South 00° 01' 50" West 322.97 feet along the East boundary of said East 1/2 Southwest 1/4 Section 25 to the intersection of this line with the original platted portion of Bellevue, Idaho:

Thence South 71° 55' 20" West 156.57 feet along the Northerly boundary of Spruce Street in Bellevue, Idaho to a 1/2 inch rebar by L.S. 792 on a fence line defining the property line between Watts and Divine as surveyed by Patterson in 1955:

Thence North 18° 16' 31" West 1,320.20 feet along said fence and property line to a 1/2 inch rebar by Patterson at a fence corner:

Thence North 71° 43' 28" East 77.80 feet to the centerline of a canal defining the Southwest property line of Marshal Ashcraft:

Thence the following fourteen courses and distance along said canal centerline and Ashcraft boundary:

South 47° 24' 21" East 101.12 feet.

South 31° 29' 09" East 48.11 feet.

South 17° 28' 38" East 128.11 feet.

South 55° 00' 18" East 42.11 feet.

South 61° 45' 56" East 95.75 feet.

South 13° 25' 38" East 142.85 feet.

South 07° 49' 13" West 74.61 feet.

South 23° 10' 40" East 61.10 feet.

South 51° 31' 29" East 104.59 feet.

South 14° 39' 06" East 76.25 feet.

South 28° 16' 47" East 70.37 feet.

South 17° 19' 19" East 45.18 feet.

South 26° 15' 58" East 32.94 feet.

South 42° 28' 45" East 33.56 feet, to said East boundary of the East 1/2 Southwest 1/4 Section 25:

Thence South 00° 01' 50" West 38.07 feet along said East boundary East 1/2 Southwest 1/4 and Ashcraft boundary to the POINT OF BEGINNING.

**Said parcel is approximately 6.03 acres, also know as Tax Lot 7558**

## EXHIBIT "B"

### AND

In Section 25, Township 2 North, Range 18 East, Boise Meridian, Blaine County, Idaho, a parcel of land of said U.S. Government Lot 1 De-annexed from Bellevue, Idaho, in 1928 and more particularly described as follows:

Commencing at an aluminum cap by L.S. 907 marking the center South 1/16 corner of said Section 25, also the Northwest corner of said U.S. Government Lot 1 from which the South 1/4 corner of Section 25 bears South 0° 01' 50" West 1,321.51 feet, which point is the REAL POINT OF BEGINNING:

Thence South 89° 00' 05" East 939.24 feet along the North boundary of U.S. Government Lot 1 to the intersection of Spruce Street extended and the Northerly boundary of the original platted portion of Bellevue, Idaho; with said North boundary of U.S. Government Lot 1:

Thence South 71° 55' 20" West 988.04 feet along the Northerly boundary of the originally platted portion of Bellevue to the West boundary of said U.S. Government Lot 1:

Thence North 00° 01' 50" East 322.97 feet along said West boundary of U.S. Government Lot 1 to the POINT OF BEGINNING.

**Said parcel is approximately 3.48 acres, also know as Tax Lot 7559**

