

RECEIVED

AUG 06 2012

TECHNICAL SUPPORT

COUNCIL BILL NO. 12-1006
ORDINANCE NO. 3432

CLIFFORD T. HAYES 5P 2347083000
KOOTENAI COUNTY RECORDER Page 1 of 5
JAJ Date 02/23/2012 Time 10:17:08
REQ OF CITY OF CDA
RECORDING FEES: \$0.00
2347083000 XX

071

AN ORDINANCE DEANNEXING FROM AND DECLARING THE SAME TO BE SEPARATE FROM THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 18, TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN; BY DECLARING SUCH PROPERTY TO BE NO LONGER A PART OF THE CITY OF COEUR D'ALENE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDE FOR THE PUBLICATION OF A SUMMARY OF THIS ORDINANCE AND AN EFFECTIVE DATE HEREOF.

WHEREAS, the Mayor and City Council find it to be in the best interests of the City of Coeur d'Alene and the citizens thereof to exclude the property described below from the boundaries of the City of Coeur d'Alene; NOW, THEREFORE,

BE IT ORDAINED, by the Mayor and City Council of the City of Coeur d'Alene:

SECTION 1. That the above described property, which property is fully described in Exhibits "A, B, & C" attached hereto and incorporated herein is hereby de-annexed and excluded from the boundaries of the City of Coeur d'Alene, Kootenai County, Idaho.

SECTION 2. That the Planning Director be and is hereby instructed to make such change and amendment on the three official zoning maps of the City of Coeur d'Alene and the three official comprehensive plan maps of the City of Coeur d'Alene.

SECTION 3. That the property excluded by this ordinance is not relieved from any liability it may have for any bonded or existing indebtedness of the city and remains subject to the jurisdiction of the City of Coeur d'Alene for the purposes of collecting any outstanding indebtedness as provided by I.C. 50-225.

SECTION 4. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION 5. Neither the adoption of this ordinance nor the repeal of any ordinance shall, in any manner, affect the prosecution for violation of such ordinance committed prior to the effective date of this ordinance or be construed as a waiver of any license or penalty due under any such ordinance or in any manner affect the validity of any action heretofore taken by the City of Coeur d'Alene City Council or the validity of any such action to be taken upon matters pending before the City Council on the effective date of this ordinance.

SECTION 6. The provisions of this ordinance are severable and if any provision, clause, sentence, subsection, word or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words or parts of this ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this ordinance would have been adopted if such illegal, invalid or unconstitutional provision, clause sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

SECTION 7. After its passage and adoption, a summary of this Ordinance, under the provisions of the Idaho Code, shall be published once in the official newspaper of the City of Coeur d'Alene, and upon such publication shall be in full force and effect.

Passed under suspension of rules upon which a roll call vote was duly taken and duly enacted an ordinance of the City of Coeur d'Alene at a regular session of the City Council on February 21, 2012.



APPROVED, ADOPTED and SIGNED this 21st day of February, 2012.


Sandi Bloem, Mayor

ATTEST:

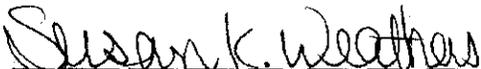

Susan K. Weathers, City Clerk

EXHIBIT "A"
LEGAL DESCRIPTION

A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18,
TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN CITY OF COEUR D'ALENE,
KOOTENAI COUNTY IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

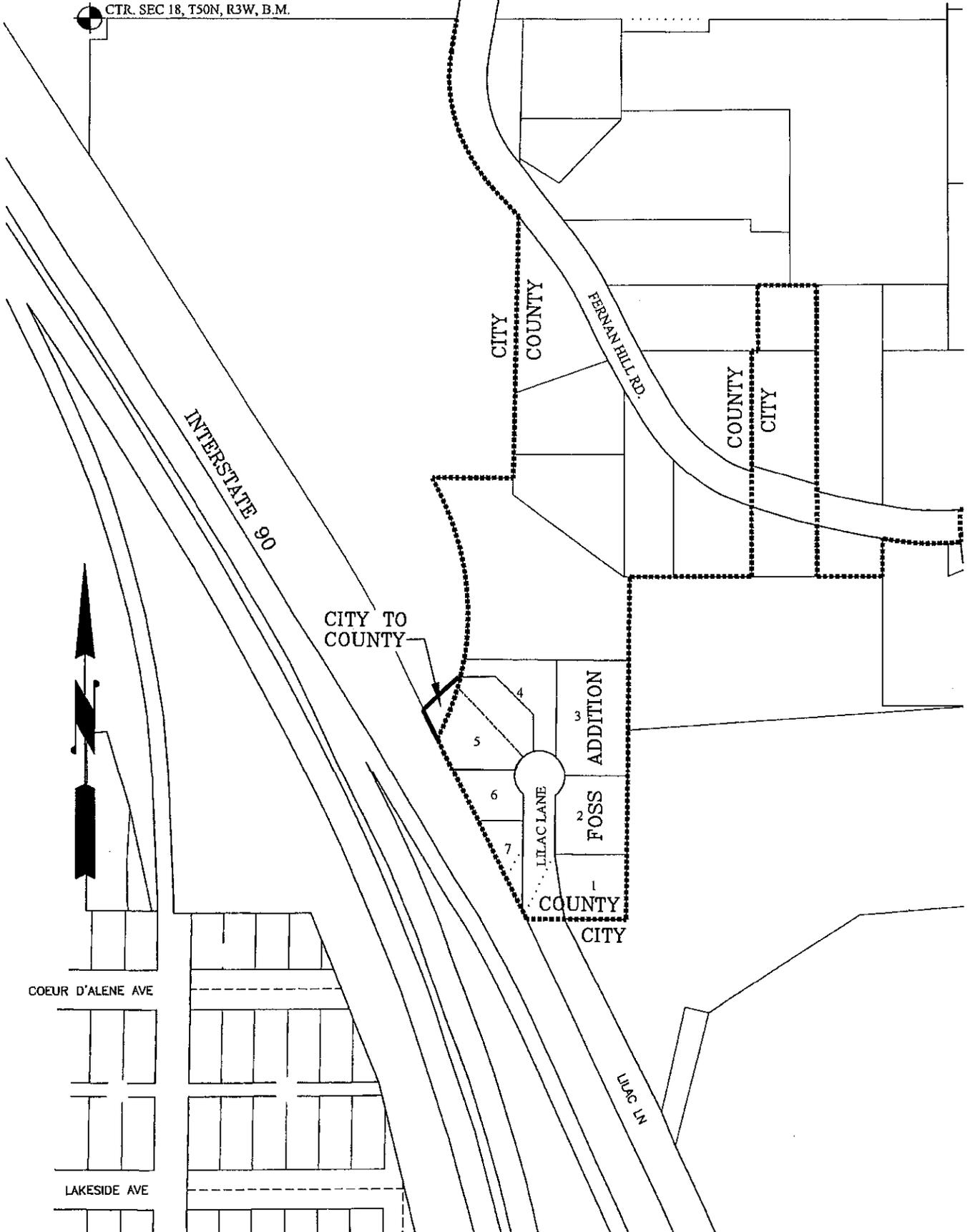
BEGINNING AT THE CENTER QUARTER CORNER OF SAID SECTION 18 FROM WHICH THE
SOUTH QUARTER OF SAID SECTION 18 BEARS S00°48'00"E, A DISTANCE OF 2683.50 FEET;
THENCE S00°48'00"E ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF SAID SECTION 18, A DISTANCE OF 33.30 FEET TO THE SOUTH
RIGHT-OF-WAY LINE OF PENNSYLVANIA AVENUE;
THENCE S00°48'00"E CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 174.61 FEET TO
THE INTERSECTION WITH THE NORTHEAST RIGHT-OF-WAY LINE OF INTERSTATE 90;
THENCE S33°50'18"E ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 684.55 FEET;
THENCE 173.59 FEET, CONTINUING ALONG SAID RIGHT-OF-WAY LINE BEING A CURVE TO
THE RIGHT WITH A RADIUS OF 1433.20 FEET, A CENTRAL ANGLE OF 6°56'23" AND A
CHORD BEARING S30°22'06"E, A DISTANCE OF 173.48 FEET;
THENCE S26°55'43"E CONTINUING ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF
124.80 FEET TO THE **TRUE POINT OF BEGINNING** OF THE HEREIN DESCRIBED PARCEL
OF LAND;
THENCE N47°58'54"E, A DISTANCE OF 74.38 FEET TO A POINT ON THE WEST LINE OF SAID
LOT 4, FOSS ADDITION;
THENCE S11°54'26"W ALONG SAID WEST LINE, A DISTANCE OF 15.39 FEET TO THE NORTH
CORNER OF LOT 5 OF SAID FOSS ADDITION;
THENCE S18°00'34"W ALONG THE WEST LINE OF SAID LOT 5, A DISTANCE OF 64.26 FEET;
THENCE S27°44'27"W CONTINUING ALONG SAID WEST LINE, A DISTANCE OF 20.56 FEET TO
THE NORTHEAST RIGHT-OF-WAY LINE OF INTERSTATE 90;
THENCE N26°55'43"W ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 50.00 FEET TO
THE **TRUE POINT OF BEGINNING** OF THE HEREIN DESCRIBED PARCEL OF LAND.

PARCEL CONTAINS 2,003 SQUARE FEET MORE OR LESS

END OF DESCRIPTION.

EXHIBIT "B"

CTR. SEC 18, T50N, R3W, B.M.



COEUR D'ALENE AVE

LAKESIDE AVE

FOSS ADDITION

FOSS

LILAC LANE

COUNTY CITY

CITY COUNTY

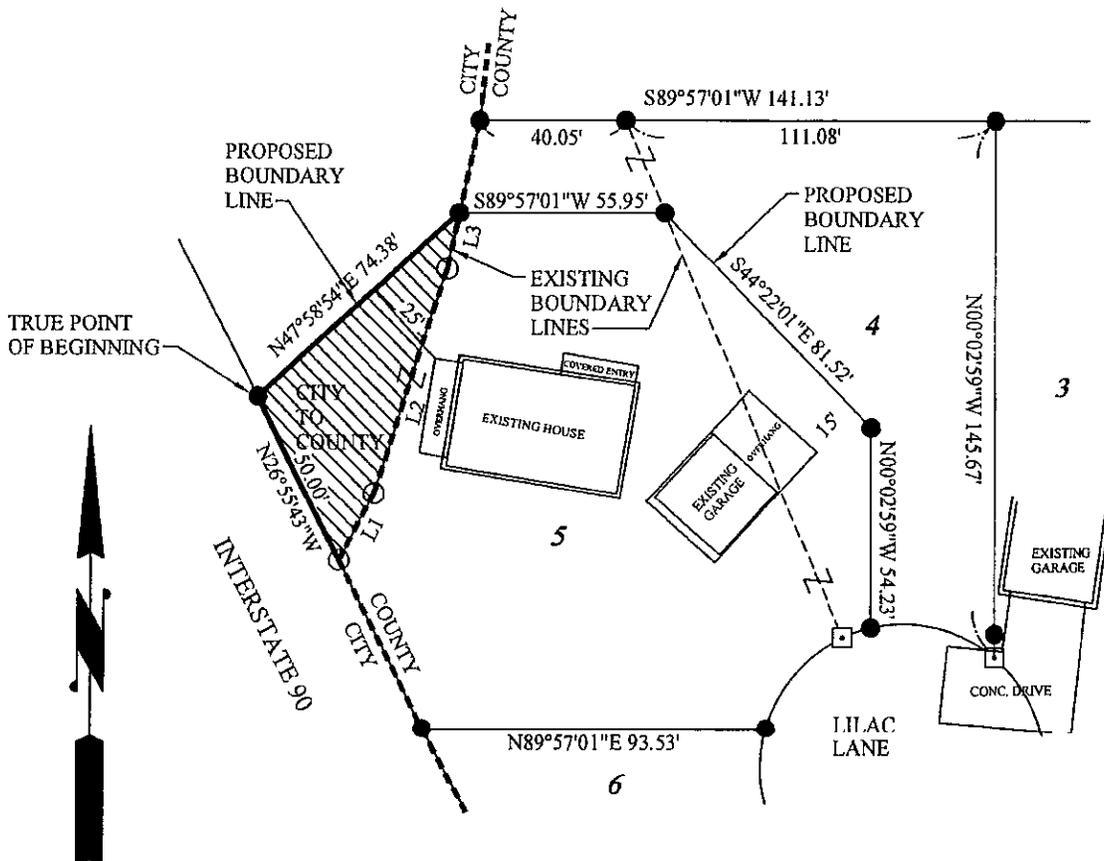
COUNTY CITY

FERNAN HILL RD.

INTERSTATE 90

LILAC LN

EXHIBIT "C"



LINE TABLE		
LINE	LENGTH	BEARING
L1	20.56	S27°44'27"W
L2	64.26	S18°00'34"W
L3	15.39	S11°54'26"W

SUMMARY OF COEUR D'ALENE ORDINANCE NO. 3432
De-Annexation of a .046 acre portion of Foss Addition, Lot 5
(located on N. Lilac Lane)

AN ORDINANCE DEANNEXING FROM AND DECLARING THE SAME TO BE SEPARATE FROM THE CITY OF COEUR D'ALENE, KOOTENAI COUNTY, IDAHO, SPECIFICALLY DESCRIBED PORTIONS OF SECTION 18, TOWNSHIP 50 NORTH, RANGE 3 WEST, BOISE MERIDIAN; BY DECLARING SUCH PROPERTY TO BE NO LONGER A PART OF THE CITY OF COEUR D'ALENE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING A SEVERABILITY CLAUSE. THE ORDINANCE SHALL BE EFFECTIVE UPON PUBLICATION OF THIS SUMMARY. THE FULL TEXT OF THE SUMMARIZED ORDINANCE NO. 3432 IS AVAILABLE AT COEUR D'ALENE CITY HALL, 710 E. MULLAN AVENUE, COEUR D'ALENE, IDAHO 83814 IN THE OFFICE OF THE CITY CLERK.

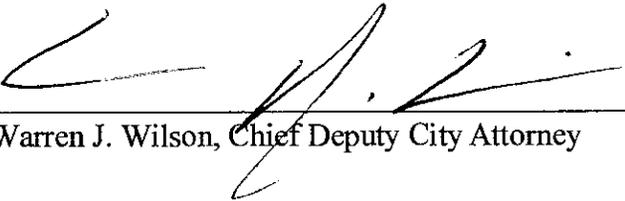

Susan K. Weathers, City Clerk

PUBLISH: February 29, 2012

STATEMENT OF LEGAL ADVISOR

I, Warren J. Wilson, am a Deputy City Attorney for the City of Coeur d'Alene, Idaho. I have examined the attached summary of Coeur d'Alene Ordinance No. 3432, De-Annexation of a .046 acre portion of Foss Addition, Lot 5 (located on N. Lilac Lane), and find it to be a true and complete summary of said ordinance which provides adequate notice to the public of the context thereof.

DATED this 21st day of February, 2012.



Warren J. Wilson, Chief Deputy City Attorney

C E R T I F I C A T E

STATE OF IDAHO)
) **ss.**
County of Kootenai)

I, Susan K. Weathers, do hereby certify that I am the duly appointed City Clerk and official keeper of the records for the City of Coeur d'Alene, County of Kootenai, State of Idaho, and that the foregoing is a true and correct copy of Ordinance No. 3432, a summary of which was published on February 29, 2012 in the Coeur d'Alene Press, a newspaper of general circulation, and as it appears on record in the Office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City this 31st day of July 2012.



Susan K. Weathers
City Clerk