

RE-RECORD CORRECT LEGAL
&
SITE PLAN

ADA COUNTY RECORDER Christopher D. Rich AMOUNT .00 6
BOISE IDAHO 09/26/13 01:32 PM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF [REDACTED]
Eagle City Rerecord 113109184

ADA COUNTY RECORDER Christopher D. Rich AMOUNT .00 8
BOISE IDAHO 10/11/13 02:56 PM
DEPUTY Lisa Batt
RECORDED - REQUEST OF
Eagle City
113114752

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ORDINANCE NO. 705

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 R-4-DA-P (RESIDENTIAL WITH A DEVELOPMENT AGREEMENT-PUD); 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 R-4-DA-P; and

WHEREAS, the property described in Exhibit "A" is located at 5001 and 5025 West State Street; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on March 18, 2013, 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 April 23, 2013, on the proposed annexation and zoning for the real property described in Exhibit "A" 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 R-4-DA-P 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.

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TECHNICAL SUPPORT

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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 here to 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 R-4-DA-P (Residential up to four dwelling units per acre with a development agreement-PUD) 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 R-4-DA-P 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, within ten (10) days of passage and approval of this Ordinance, 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.

DATED this 24th day of September 2013.

CITY COUNCIL OF THE CITY OF EAGLE
Ada County, Idaho

James D. Reynolds
James D. Reynolds, Mayor

ATTEST:

Sharon K. Bergmann
Sharon K. Bergmann, Eagle City Clerk



STATE OF IDAHO)

: ss.

County of Ada)

On this 24th day of September, in the year 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared James D. Reynolds and Sharon K. Bergmann, known to me to be the MAYOR and CITY CLERK of said municipal corporation that executed this instrument and the persons who executed the said instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year first written.



Tracy E. Oshon
Notary Public

Residing at: Humana, Id

My Commission Expires: 01/12/2015



October 9, 2013
Project No. 112143
Annexation/Re-zone Description
Home Capital Resources
16.96 Acres

THE LAND GROUP, INC.

Exhibit "A"

A tract of land situated in a portion of the Southeast One Quarter of Section 11 and the Northeast One Quarter of Section 14, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, described as follows:

COMMENCING at the Southeast Corner of said Section 11, which bears South 43°12'00" West a distance of 971.74 feet to the POINT OF BEGINNING.

Thence North 60°29'02" West a distance of 380.01 feet;
Thence North 0°40'55" East a distance of 60.00 feet;
Thence North 73°16'49" West a distance of 341.88 feet;
Thence North 82°31'25" West a distance of 151.41 feet;
Thence North 0°23'11" East a distance of 839.70 feet to the centerline of West State Street (State Highway 44);
Thence following said centerline, North 75°00'57" East a distance of 62.21 feet;
Thence following said centerline, 93.57 feet along a circular curve to the right, said curve having a radius of 22,918.31 feet, a central angle of 0°14'02", a chord bearing of North 75°07'58" East, and a chord distance of 93.57 feet;
Thence leaving said centerline, South 0°23'11" West a distance of 437.16 feet;
Thence North 75°33'23" East a distance of 342.83 feet;
Thence North 0°40'56" East a distance of 436.99 feet to the said centerline of West State Street;
Thence following said centerline, 343.28 feet along a circular curve to the right, said curve having a radius of 22,918.31 feet, a central angle of 0°51'30", a chord bearing of North 76°32'29" East, and a chord distance of 343.28 feet;
Thence leaving said centerline, South 0°40'52" West a distance of 1,410.35 feet to the POINT OF BEGINNING.

The above-described tract of land contains 16.96 acres more or less, subject to all existing easements and rights-of-way. The purpose of this description is for annexation and/or re-zone purposes only and is not intended to describe or transfer property rights.

Attached hereto is Map Exhibit "B" and by this reference is made a part hereof.

Prepared By: THE LAND GROUP, INC.
462 E. SHORE DRIVE, SUITE 100
EAGLE, IDAHO 83616



