

072

ORDINANCE NO. 556

AN ORDINANCE OF THE CITY OF PRIEST RIVER, IDAHO, ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS MERRITT PROPERTY, SITUATED IN THE UNINCORPORATED AREA OF BONNER COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF PRIEST RIVER, TO THE CITY OF PRIEST RIVER, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THE ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Priest River, 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, Merritt's Town Hall, LLC., owner of the parcel of real property situation in the unincorporated area of Bonner County and particularly described in Section 2 of this ordinance, has requested, in writing, annexation of said real property to the City of Priest River; and,

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on July 1, 2013, as required by Section 67-6525, Idaho Code, where it was recommended to the Mayor and Council that the annexation and zoning request be approved with a zoning classification of C2-Commercial ; and,

WHEREAS, the Priest River City Council, pursuant to public notice as required by law, held a public hearing on July 1, 2013, on the proposed annexation and zoning for the real property described in Section 2 below, as required by Section 67-6525, Idaho Code, made findings and determined that the requested annexation should be granted with a zoning classification of C2-Commercial; and

WHEREAS, the zoning classification of C2-Commercial is appropriate to meet the requirements of the Priest River City Code and should be granted.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Priest River, Idaho, as follows:

Section 1: The Priest River City Council hereby finds and declares that the real property described below 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 Bonner County, Idaho, adjacent and contiguous to the City, commonly known as parcel RP56N05W238640A, and more particularly described in "Exhibit A" – Legal Description and "Exhibit B" – Vicinity

RECEIVED

AUG 19 2013

CLERK OF COURT

Instrument # 846994

BONNER COUNTY, SANDPOINT, IDAHO
7-10-2013 11:54:39 No. of Pages: 5
Recorded for: CITY OF PRIEST RIVER
SHELLEY MUNSON Fee: 0.00
Ex-Officio Recorder Deputy
Index to: CITIES ORDINANCES

RL

Map, attached hereto and incorporated herein by reference as if fully set forth below, is annexed to and incorporated in the incorporated territorial limits of the City of Priest River, Idaho.

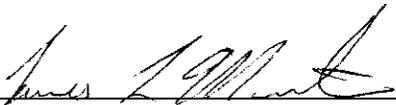
Section 3: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory described above, shall be subject to all ordinances, resolutions, police regulations, taxation and other powers of the City of Priest River.

Section 4: The zoning and land use classifications of the land described in Section 2 above is hereby established as C2-Commercial, as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the Commercial zoning land use classification.

Section 5: The City Clerk is hereby directed to file, within ten (10) days of the passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Bonner County, Idaho, and within 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.

Passed by the City Council and approved by the Mayor under suspension of the rules, as an Ordinance of the City of Priest River, Bonner County, Idaho, at a regular meeting of the Priest River City Council held on the 1st day of July, 2013.


James L. Martin
Mayor

ATTEST:


Laurel Knoles
City Clerk/Treasurer



Exhibit "A"

²⁴²
Beginning 128 rods West of the Southeast corner of Section 23, Township 56 North, Range 5 West, Boise Meridian;

Thence North 80 rods; 1320

Thence West 6 rods; 99

Thence South 80 rods; 1320

Thence East 6 rods to the place of beginning. 99

Also beginning ²²¹¹ 134 rods West of the Southeast corner of Section 23, Township 56 North, Range 5 West, Boise Meridian;

Thence North 80 rods; 1320

Thence West 6 rods; 99

Thence South 80 rods; 1320

Thence East 6 rods to the place of beginning. 99

Also beginning ²²¹¹ 134 rods West of the Southeast corner of Section 23, Township 56 North, Range 5 West, Boise Meridian;

Thence North 80 rods; 1320

Thence West 26 rods; 429

Thence South 80 rods to quarter post; 1320

Thence East 26 rods to the place of beginning. 429

EXCEPT the following described property:

A tract of land located in the Southwest Quarter of the Southeast Quarter of Section 23, Township 56 North, Range 5 West of the Boise Meridian, more particularly described as follows:

Beginning at a point on the Northerly right of way line of Albany Road, said point being South 89°25'28" West along the South line of said Section 23, 2112 feet and North 0°35'58" West 33 feet from the Southeast corner of said Section 23;

Thence South 89°25'28" West along the Northerly right of way line 100.00 feet;

Thence North 0°35'58" West 125.0 feet;

Thence North $89^{\circ}25'28''$ East 100.00 feet;

Thence South $0^{\circ}35'58''$ East 125.0 feet to the point of beginning;

Also except the North 510 feet of said parcels.

Also except the County Road right of way along the West line thereof and U.S. Highway 2 (200) right-of-way along the South line thereof.

ORD 556
VICINITY MAP

100513

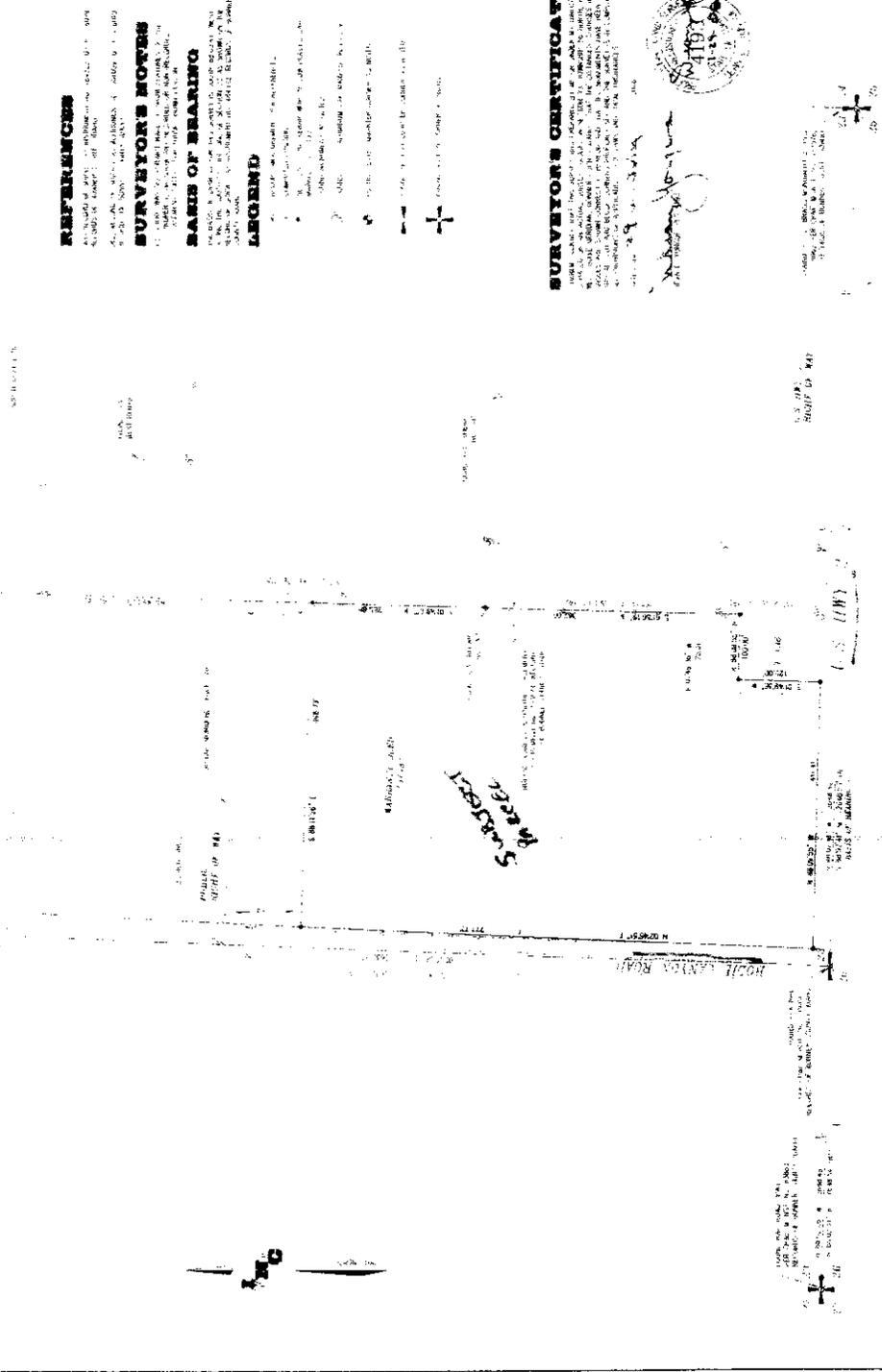
RECORD OF SURVEY

LOCATED IN A PORTION OF THE SOUTH WEST QUARTER OF THE SOUTH EAST QUARTER OF SECTION 23, TOWNSHIP 36 NORTH RANGE 5 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO

COUNTY RECORDER
BOISE, IDAHO
RECORDED IN BOOK 14, PAGE 100

2005

100513



REFERENCES

All parts of the...
...of Boise

SURVEYORS NOTES

1. The...
...of Boise

BEARS OF BEARING

The...
...of Boise

LEGEND

1. ...
2. ...
3. ...
4. ...

SURVEYORS CERTIFICATE

I, the undersigned, being a duly qualified surveyor of the State of Idaho, do hereby certify that the foregoing is a true and correct copy of the original record of survey as the same appears from the files and records of my office.



[Signature]
Surveyor



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PREPARED AND FOR THE REQUEST OF
MR. KEVIN COLEMAN
81 EXCELLENCE LN
PRESTON, IDAHO 83456