

ORDINANCE NO. 505

018

10610 Hwy 44, Middleton, ID

AN ORDINANCE OF THE CITY OF MIDDLETON, CANYON COUNTY, IDAHO, ANNEXING TO THE CITY OF MIDDLETON, IDAHO, CERTAIN REAL PROPERTY SITUATED IN THE UNINCORPORATED AREA OF CANYON COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF MIDDLETON, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY TO MIXED-USE; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Middleton, Idaho, (the "City") 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, generally located at 10610 Hwy 44, Middleton, Idaho, and comprises 0.74 acres, in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, the owner of the real property currently located in the unincorporated area of Canyon County and described as 10610 Hwy 44, Assessor's Tax Parcel No. 33947000 0, Middleton, Idaho, and more particularly described in Exhibit A, attached hereto and hereby made a part of this ordinance, has requested, in writing, annexation of said real property to the City of Middleton; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on February 19, 2013, as required by Idaho Code §67-6525 and recommended to the Mayor and Council that they approve the request for annexation from the City; and

WHEREAS, the Middleton City Council, pursuant to public notice as required by law, held a public hearing on February 20, 2013, on the annexation request, as required by Idaho Code 67-6525;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MIDDLETON, IDAHO, AS FOLLOWS:

Section 1: The Middleton City Council hereby finds and declares that the real property described as 10610 Hwy 44, Assessor's Tax Parcel No. 33947000 0, Middleton, Idaho, and more particularly described in Exhibit A attached 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 with a zoning designation of Mixed Use.

Section 2: The real property, currently situated in Canyon County, Idaho, adjacent and contiguous to the City, described in Exhibit A, is hereby annexed to and incorporated in the territorial limits of the City of Middleton, Idaho.

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Section 3: From and after the effective date of this ordinance, all property and persons within the boundaries and territory described in Exhibit A shall be subject to the ordinances, resolutions, police regulations, taxation and other powers of the City of Middleton, Idaho.

Section 4: The zoning classification of the land described in Exhibit A is hereby established as Mixed Use, as provided by the zoning ordinance of the City and in accordance with the Comprehensive Plan. The Zoning Map is hereby amended to include the real property described in Exhibit A with a Mixed Use classification.

Section 5: The City Clerk is hereby directed to file, within ten (10) days of the passage, approval and publication of this ordinance, a certified copy of this ordinance with the offices of the Auditor, Treasurer and Assessor of Canyon County, Idaho, and with the Idaho State Tax Commission, Boise, Idaho, as required by Idaho Code §50-223, and to comply with the provisions of Idaho Code §63-215, with regard to the preparation and filing of a map and legal description of the real property annexed by the 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 Idaho Code §50-901A may be published.

DATED this 20th day of February, 2013.

CITY OF MIDDLETON
Canyon County, Idaho

By: Darin J. Taylor
Darin J. Taylor, Mayor

ATTEST:

Cindy LoPiccolo
Cindy LoPiccolo, City Clerk



EXHIBIT A

A parcel of land located in the Northeast Quarter of the Northwest Quarter of Section 8, Township 4 North, Range 2 West, Boise Meridian, Canyon County, Idaho more particularly described as follows:

COMMENCING at the CN1/16 corner of said Section 8; thence along the North-South centerline of said Section 8

North 01° 07' 35" East, 50.00 feet to the Northerly right-of-way line of Highway 44; thence along said Northerly right-of-way line

North 89° 44' 30" West, 535.77 feet to the REAL POINT OF BEGINNING; thence continuing along said Northerly right-of-way line

North 89° 44' 30" West, 128 feet; thence leaving said Northerly right-of-way line

North 01° 06' 12" East, 235.22 feet; thence

South 89° 03' 27" East, 121.36 feet; thence

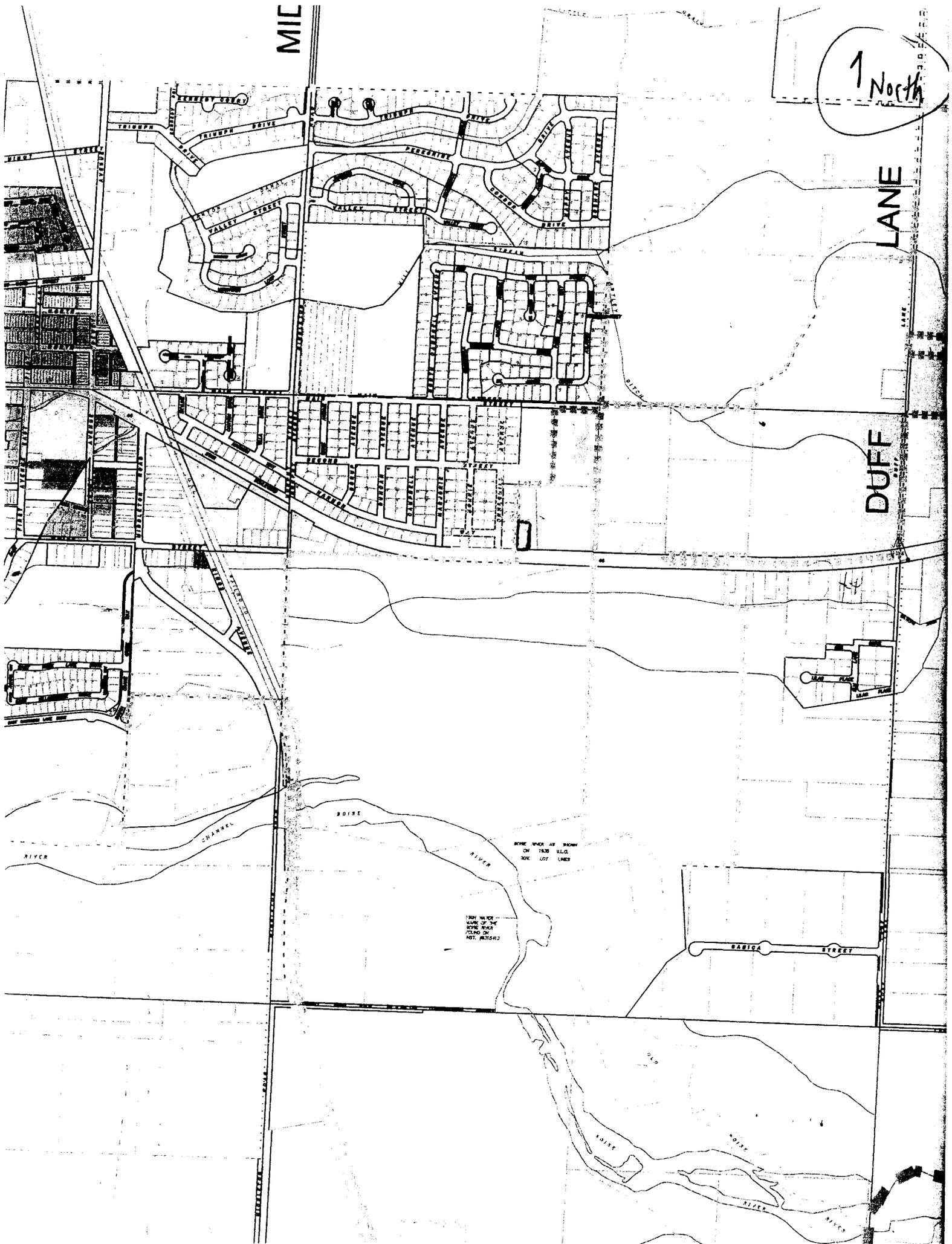
South 00° 31' 12" East, 233.77 feet to the REAL POINT OF BEGINNING.

1 North

MIC

LANE

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FROM MAP OF 1904 SHOWS OF THE SOME YEAR FIELD ON 1ST. #21562

SOME WHEN AS SHOWN ON 1930 U.L.G. 30X LOT LINES

CHANNEL

BOISE

RIVER

BARICA STREET

BOISE

BOISE

BOISE

BOISE

BOISE



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CHRIS YAMAMOTO

CANYON COUNTY RECORDER

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CITY OF MIDDLETON

Canyon County
Recorder's Office
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