

092

ORDINANCE NO. 1253

ANNEXATION & ZONE CLASSIFICATION OF PROPERTY

Portion of Section 36, T51N, R5W, B.M.

9.683 Acre Parcel Located on the northwest corner of Hwy 41 and Mullan Avenue
(File Nos. A-13-04)

AN ORDINANCE OF THE CITY OF POST FALLS, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, PROVIDING FOR ANNEXATION OF PROPERTY CONSISTING OF APPROXIMATELY 9.683 ACRES, LOCATED AT THE NORTHWEST CORNER OF HIGHWAY 41 AND MULLAN AVENUE IN SECTION 36, TOWNSHIP 51 NORTH, RANGE 5 WEST, B.M., KOOTENAI COUNTY, IDAHO AND ZONING SAID ANNEXED PROPERTY AS COMMUNITY COMMERCIAL SERVICES (CCS); AND ANNEXING THAT PORTION OF THE ADJACENT MULLAN RIGHT OF WAY THAT IS NOT WITHIN THE CITY LIMITS; PROVIDING FOR THE AMENDMENT TO THE OFFICIAL ZONING MAP; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF:

WHEREAS, the owners of the real property described in Section 1 of this ordinance have petitioned the City Council of the City of Post Falls for annexation of said property as Community Commercial Services (CCS),

WHEREAS, public hearings were held before both the Planning and Zoning Commission on 5/14/13 and City Council 7/2/13, in accordance with law, testimony taken, findings of fact and conclusions of law reached; and

WHEREAS, the City Council, based upon the recommendation of the Planning and Zoning Commission and upon its own fact finding, determined that said annexation is provided for under existing law in that the land in question adjoins the corporate limits, that the proposed zoning is suitable and compatible with surrounding land uses and provisions of the Post Falls Comprehensive Plan and that said land uses would fit in with the general development of the City and would be in the best interest of the City of Post Falls.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POST FALLS, IDAHO, AS FOLLOWS:

SECTION 1: That the following described property located at the northwest corner of Highway 41 and Mullan Avenue, is contiguous and adjacent to the City of Post Falls, to wit:

A PORTION OF THE SOUTHEAST QUARTER OF SECTION 36, TOWNSHIP 51 NORTH, RANGE 5 WEST, B.M., KOOTENAI COUNTY, IDAHO, TOGETHER WITH A PORTION OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 50 NORTH, RANGE 5 WEST, B.M., KOOTENAI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

RECEIVED

SEP 12 2013

TECHNICAL SUPPORT

COMMENCING AT THE SOUTHEAST CORNER OF THE PLAT OF LILAC PLACE, BOOK I, PAGE 170, RECORDS OF KOOTENAI COUNTY, SAID SOUTHEAST CORNER BEING THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION;
THENCE ALONG THE EASTERLY BOUNDARY LINE OF SAID PLAT OF LILAC PLACE, N 00°31'29" E, 620.82 FEET TO A FOUND IRON MONUMENT AT THE NORTHWEST CORNER OF TRACT 64, BLOCK 36, SECOND ADDITION TO POST FALLS IRRIGATED TRACTS, BOOK C, PAGE 83, RECORDS OF KOOTENAI COUNTY;
THENCE ALONG THE SOUTHERLY BOUNDARY LINE OF THE PLAT OF HIGHLAND HOLLOW, BOOK G, PAGE 190, RECORDS OF KOOTENAI COUNTY, S 89°08'14" E, 610.27 FEET, MORE OR LESS TO THE WESTERLY RIGHT-OF-WAY LINE OF HIGHWAY 41;
THENCE ALONG THE SAID WESTERLY RIGHT-OF-WAY LINE, S 00°30'47" W, 580.59 FEET TO THE NORTHERLY BOUNDARY LINE OF INSTRUMENT NUMBER 2107047000, RECORDS OF KOOTENAI COUNTY;
THENCE LEAVING THE SAID WESTERLY RIGHT-OF-WAY LINE, S 00°30'47" W, 120.03 FEET;
THENCE N 89°09'19" W, 295.31 FEET MORE-OR-LESS TO A POINT ON THE EASTERLY BOUNDARY LINE OF INSTRUMENT NUMBER 2009069, RECORDS OF KOOTENAI COUNTY;
THENCE ALONG THE BOUNDARY OF SAID INSTRUMENT NUMBER THE FOLLOWING COURSES: N 00°50'41" E, 70.0 FEET;
THENCE N 89°09'19" W, 84.0 FEET;
THENCE S 00°50'41" W, 70.0 FEET;
THENCE LEAVING THE BOUNDARY LINE OF SAID INSTRUMENT NUMBER, N 89°09'19" W, 231.1 FEET;
THENCE N 00°31'29" E, 80.00 FEET TO THE TRUE POINT OF BEGINNING; CONTAINING APPROXIMATELY 9.683 ACRES, MORE OR LESS.

be and the same is hereby annexed to and declared to be a part of the City of Post Falls, Kootenai, Idaho.

SECTION 2: That lands described in Section 1 of this Ordinance shall be zoned Community Commercial Services (CCS). The Official Zoning Map of the City of Post Falls shall be modified to include the lands described in Section 1 and to reflect the Community Commercial Services (CCS) Zoning applied thereto.

SECTION 3: That this Ordinance shall take effect and be in full force and effect upon its passage, approval and publication according to law.

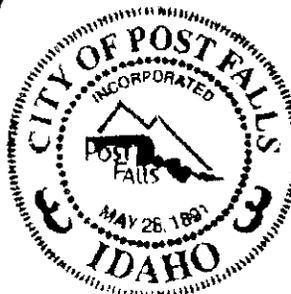
Enacted as an ordinance of the City of Post Falls, Idaho, at a meeting of the City Council held on the 3rd day of September, 2013.

CITY OF POST FALLS

BY: *Mayor Cheryl Jensen*
MAYOR

ATTEST

BY: *[Signature]*
CITY CLERK



REFERENCES:

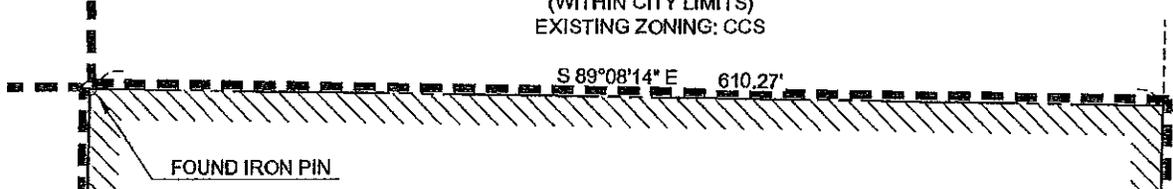
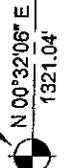
2ND ADDITION TO POST FALLS IRRIGATED TRACTS - BOOK C, PAGE 83
 PLAT OF LILAC PLACE - BOOK I, PAGE 170
 PLAT OF HIGHLAND HOLLOW - BOOK G, PAGE 190
 INST. # 2098812000, 2107047000, & 2009069

NE COR. SEC 36

ORDINANCE No. 1253

PLAT OF HIGHLAND HOLLOW
 BOOK G, PAGE 190
 (WITHIN CITY LIMITS)
 EXISTING ZONING: CCS

E1/4 COR. SEC 36
 FOUND 5/8" ROD
 CP&F #1997091



TRACT 64

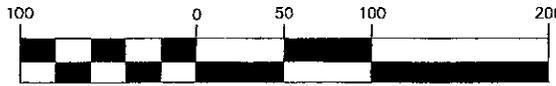
LEGEND



HATCHED REGION:
 TO BE ANNEXED INTO THE
 CITY OF POST FALLS



EXISTING CITY LIMITS,
 CITY OF POST FALLS



1 inch = 100 ft.

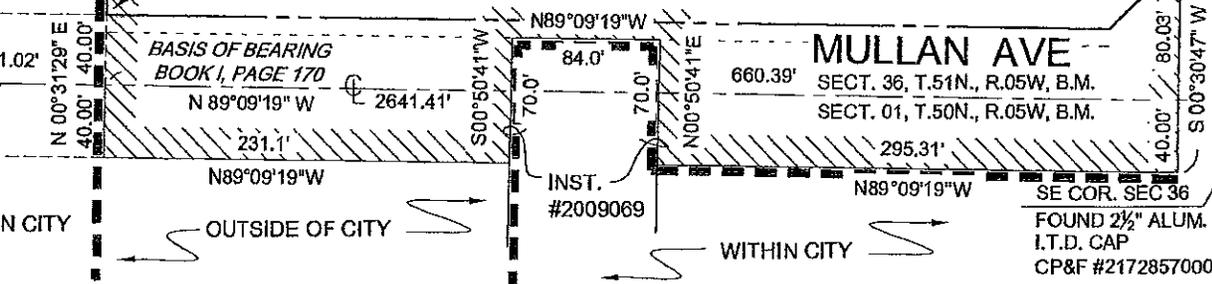
PLAT OF LILAC PLACE
 BOOK I, PAGE 170
 (WITHIN CITY LIMITS)
 EXISTING ZONING: R2

S 1/4 SEC 36
 FOUND 5/8" PIN
 CP&F #1085645

HWY 41

EXIST.
 50'
 R.O.W.

TPOB



WITHIN CITY

OUTSIDE OF CITY

WITHIN CITY

SE COR. SEC 36
 FOUND 2 1/2" ALUM.
 I.T.D. CAP
 CP&F #2172857000

TITLE: EXHIBIT OF AREA TO BE ANNEXED
 INTO THE CITY OF POST FALLS
 SECT. 36, T.51N., R.5W & SECT. 01, T.50N., R.05W, B.M.

SCALE: 1"=100' DATE: 08/05/13 FILE: P390

FRAME & SMETANA, PA
 Consulting Engineers

603 North 4th Street, Coeur d'Alene, Idaho, 83814
 Ph. (208)664-2121/Fax: (208)765-5502/ Email:smetana@roadrunner.com



SHEET
 1 OF 1



Clerk's Department

September 6, 2013

Idaho State Tax Commission
P.O. Box 36
800 Park Plaza IV
Boise, ID 83722

Attention: Jeff Servatius

RE: Ordinance No. 1253

The City of Post Falls has annexed additional land and passed Ordinance No. 1253 on September 3rd, 2013. Enclosed please find recorded Ordinance and map.

If you have any questions, please feel free to contact the Post Falls Community Development Department, Planning Division at 773-8708.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannon Howard".

Shannon Howard
City Clerk