



026

### ORDINANCE NO. 730

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 MU-DA (MIXED USE WITH A DEVELOPMENT AGREEMENT); 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 MU-DA; and

WHEREAS, the property described in Exhibit "A" is identified by the Ada County Assessor's Office as parcel numbers R1006840220 and S0424325565; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on October 6, 2014, 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 December 16, 2014, 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 MU-DA 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.

COPY

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 MU-DA (Mixed Use with a development agreement) 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 MU-DA 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 9th day of February 2016.

CITY COUNCIL OF THE CITY OF EAGLE  
Ada County, Idaho

Stan Ridgeway  
Stan Ridgeway, Mayor

ATTEST:

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



STATE OF IDAHO )

: ss.

County of Ada )

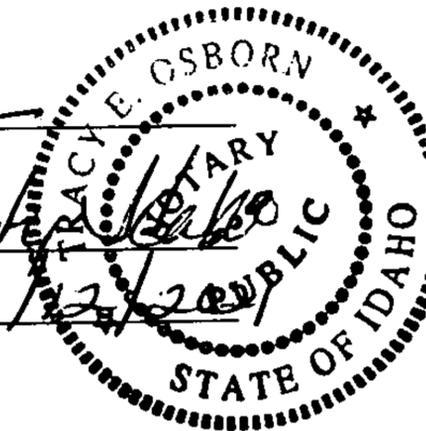
On this 11 day of February, in the year 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared STAN RIDGEWAY, known to me to be the MAYOR of said municipal corporation that executed this instrument and the persons who executed the said instrument on behalf of said 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. Osborn  
Notary Public

Residing at: Ada County, Idaho

My Commission Expires: 01/24/2017



# EXHIBIT "A"



THE LAND GROUP, INC.

April 10, 2015  
Project No. 113022

## GATED GARDEN SUBDIVISION DESCRIPTION

A parcel of land being Lot 23, Block 1 of Bodily and Bunderson Springs Subdivision No. 2, and a portion of the Northwest One Quarter of the Southwest One Quarter of Section 24, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the One Quarter Section Corner common to Sections 23 and 24 of said Township 4 North, Range 1 West (from which point the Section Corner common to Sections 23, 24, 25 and 26 of said Township 4 North, Range 1 West, bears South 00°47'25" West 2647.18 feet distant);

Thence from said One Quarter Section Corner, South 00°47'25" West a distance of 299.97 feet on the Section Line common to said Sections 23 and 24 to the POINT OF BEGINNING;

Thence South 89°34'13" East a distance of 468.60 feet, a portion of said line being on the northerly boundary line of Lot 23, Block 1 of Bodily and Bunderson Springs Subdivision No. 2, as same is shown on the Plat thereof recorded in Book 60 of Plats at Page 5936 of Ada County Records, to an angle point of said Lot 23, Block 1; Thence on the exterior lot line of Lot 23, Block 1 of said Bodily and Bunderson Springs Subdivision No. 2 for the following courses and distances:

Thence South 00°47'25" West a distance of 30.47 feet;

Thence South 89°32'02" East a distance of 160.19 feet;

Thence South 34°42'56" East a distance of 192.72 feet;

Thence South 89°10'32" East a distance of 265.53 feet;

Thence South 77°49'58" East a distance of 332.99 feet;

Thence South 00°43'59" West a distance of 766.80 feet (formerly described as 766.63 feet) to a point on the northerly boundary line of Lazy P Subdivision, as same is recorded in Book 103 of Plats at Page 13931 of Ada County Records;

Thence North 89°32'03" West a distance of 714.86 feet on the northerly boundary line of said Lazy P Subdivision to the southwest corner of said Lot 23, Block 1;

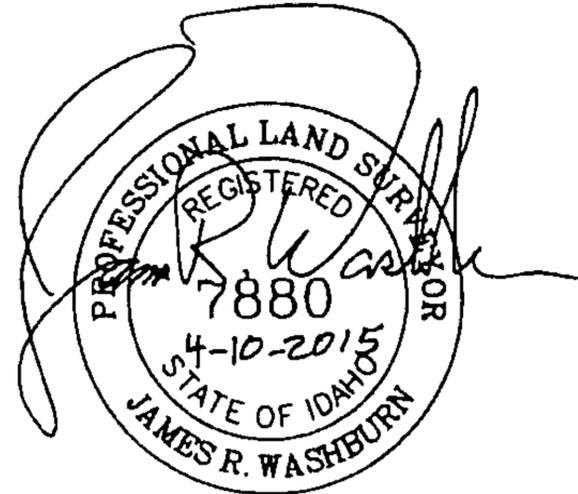
Thence North 00°51'50" East a distance of 669.57 feet on said lot line of Lot 23;



THE LAND GROUP, INC.

Thence leaving the exterior lot line of said Lot 23, North 68°49'28" West a distance of 531.21 feet to a point of curve;  
Thence 35.53 feet on the arc of a curve to the left, said curve having a radius of 100.00 feet, a central angle of 20°21'12", a chord bearing of North 79°00'03" West and a chord distance of 35.34 feet;  
Thence North 89°10'39" West a distance of 86.73 feet to a point on the Section Line common said Sections 23 and 24;  
Thence North 00°47'25" East a distance of 159.27 feet on the Section Line common said Sections 23 and 24 to the point of beginning. Said parcel contains 16.99 acres more or less.

PREPARED BY:  
THE LAND GROUP, INC.

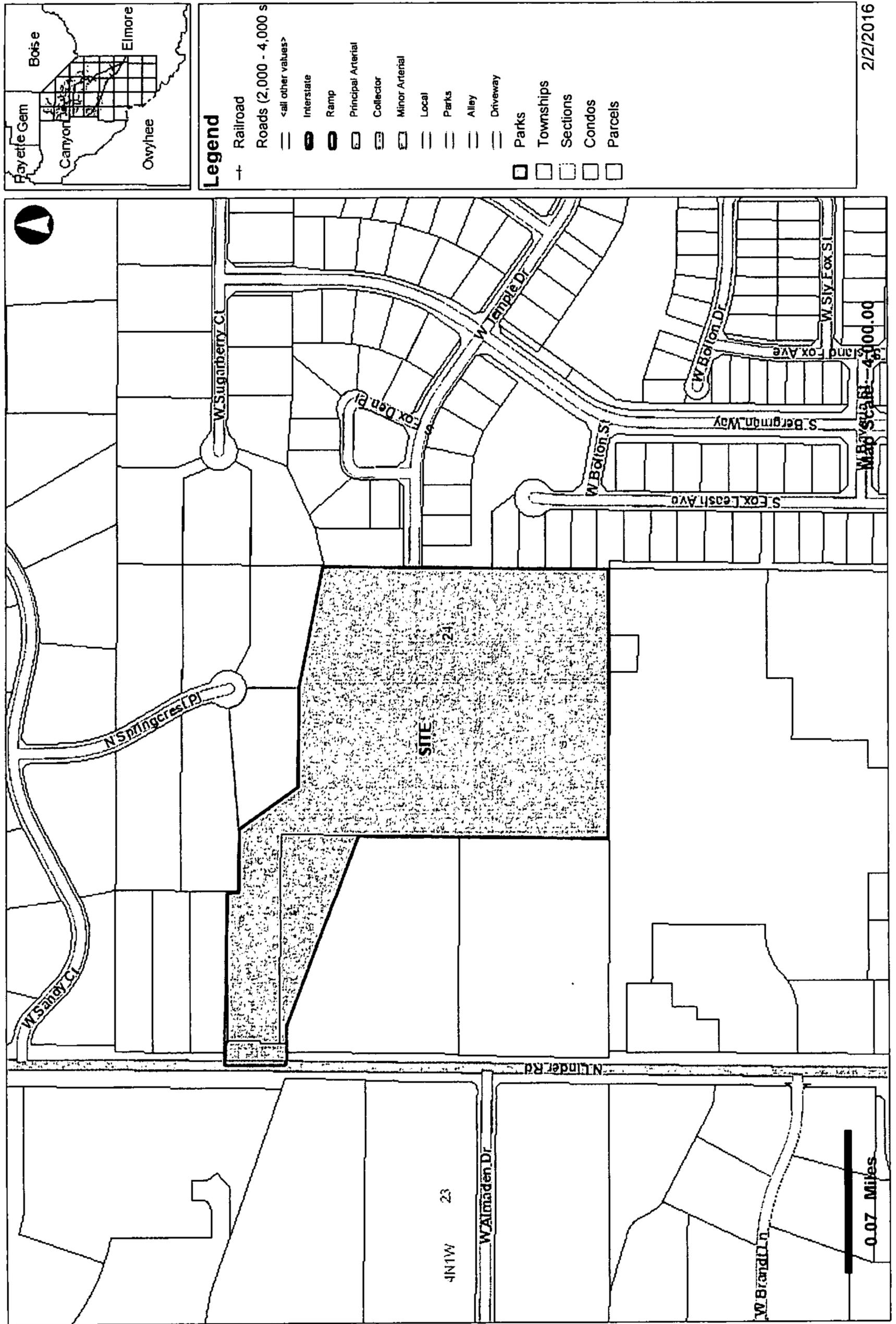


James R. Washburn

# EXHIBIT "B"

## Ada County Assessor

met mapping site and is for general reference only. Data layers that appear on this map may or may not be used for NAVIGATION OR LEGAL PURPOSES.



2/2/2016

Map Scale - 4,000.00

