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**ORDINANCE NO. 757**

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-E (RESIDENTIAL-ESTATES); 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-E; and

WHEREAS, the property described in Exhibit "A" is located at 1887 West Beacon Light Road; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on June 6, 2016, 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 August 9, 2016, 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-E 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.

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-E (Residential-Estates) 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-2 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.

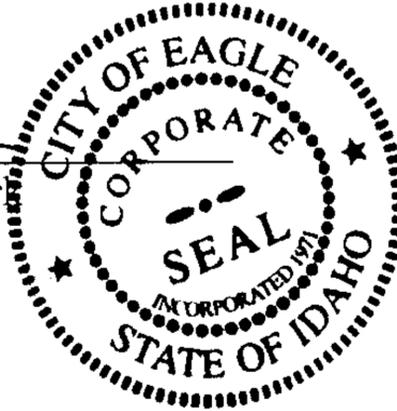
DATED this 23rd day of August 2016.

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



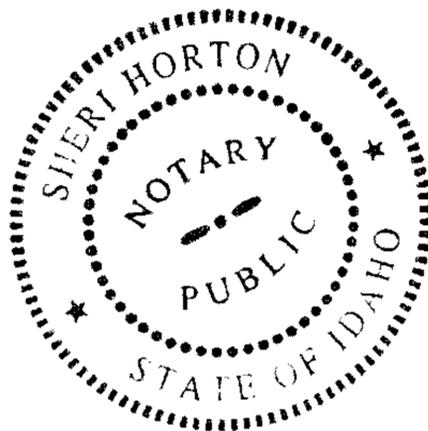
STATE OF IDAHO )

: ss.

County of Ada )

On this 23rd day of August, 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.



Sheri Horton  
Notary Public  
Residing at: Meridian, ID  
My Commission Expires: 4-26-2020

# Marks Land Surveying, Inc.

5300 Hill Road Boise, ID 83703  
Ph: (208) 378-7703 Cell: (208) 890-6684  
E-mail: cmarks@markslandsurveying.com

## Property Description

A parcel of land lying in a portion of Government Lot 1, Section 6, T.4N., R.1E., Boise Meridian, Ada County, Idaho, said parcel being more particularly described as follows:

Commencing at a found Aluminum Cap marking the NW Corner of said Government Lot 1, Section 6, T.4N., R.1E., Boise Meridian, Ada County, Idaho, said NW Corner of Government Lot 1, Section 6, bears N.89°17'27"W. 1323.19 feet from a found Brass Cap marking the NE Corner of said Government Lot 1, Section 6, said NW1/4 Corner of Government Lot 1, Section 6, also bears N.00°25'21"W. 1286.12 feet from a found Rail Road Spike marking the SW Corner of said Government Lot 1, Section 6; thence S.89°17'27"E. 377.86 feet along the north boundary of said Government Lot 1, Section 6 and the centerline of W. Beacon Light Road to a point, said point being witnessed by a found 5/8" iron pin which bears S.00°21'27"E. 25.00 feet, said point also marking the REAL POINT OF BEGINNING;

thence leaving the said north boundary of said Government Lot 1, Section 6 and the said centerline of W. Beacon Light Road, S.00°21'27"E. 747.27 feet to a found 5/8" iron pin;

thence N.89°50'06"E. 1.04 feet to a found 5/8" iron pin;

thence, S.00°22'16"E. 533.10 feet to a found 5/8" iron pin lying along the south boundary of said Government Lot 1, Section 6;

thence along the said south boundary of Government Lot 1, Section 6, N.89°50'10"E. 455.49 feet to a point, said point being witnessed by a found 5/8" iron pin which bears N.00°24'30"W. 1.82 feet;

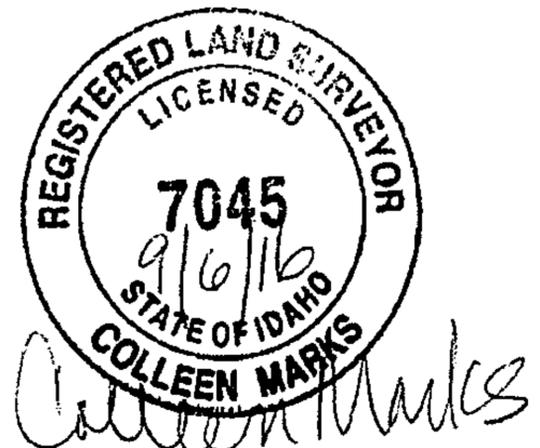
thence leaving the said south boundary of Government Lot 1, Section 6, N.00°24'30"W. 766.61 feet to a found 1/2" iron pin;

thence N.89°17'27"W. 429.74 feet to a set 1/2" iron pin;

thence N.00°24'30"W. 506.82 feet to a point lying along the said north boundary of Government Lot 1, Section 6 and the said centerline of W. Beacon Light Road, said point being witnessed by a set 1/2" iron pin which bears S.00°24'30"E. 25.00 feet;

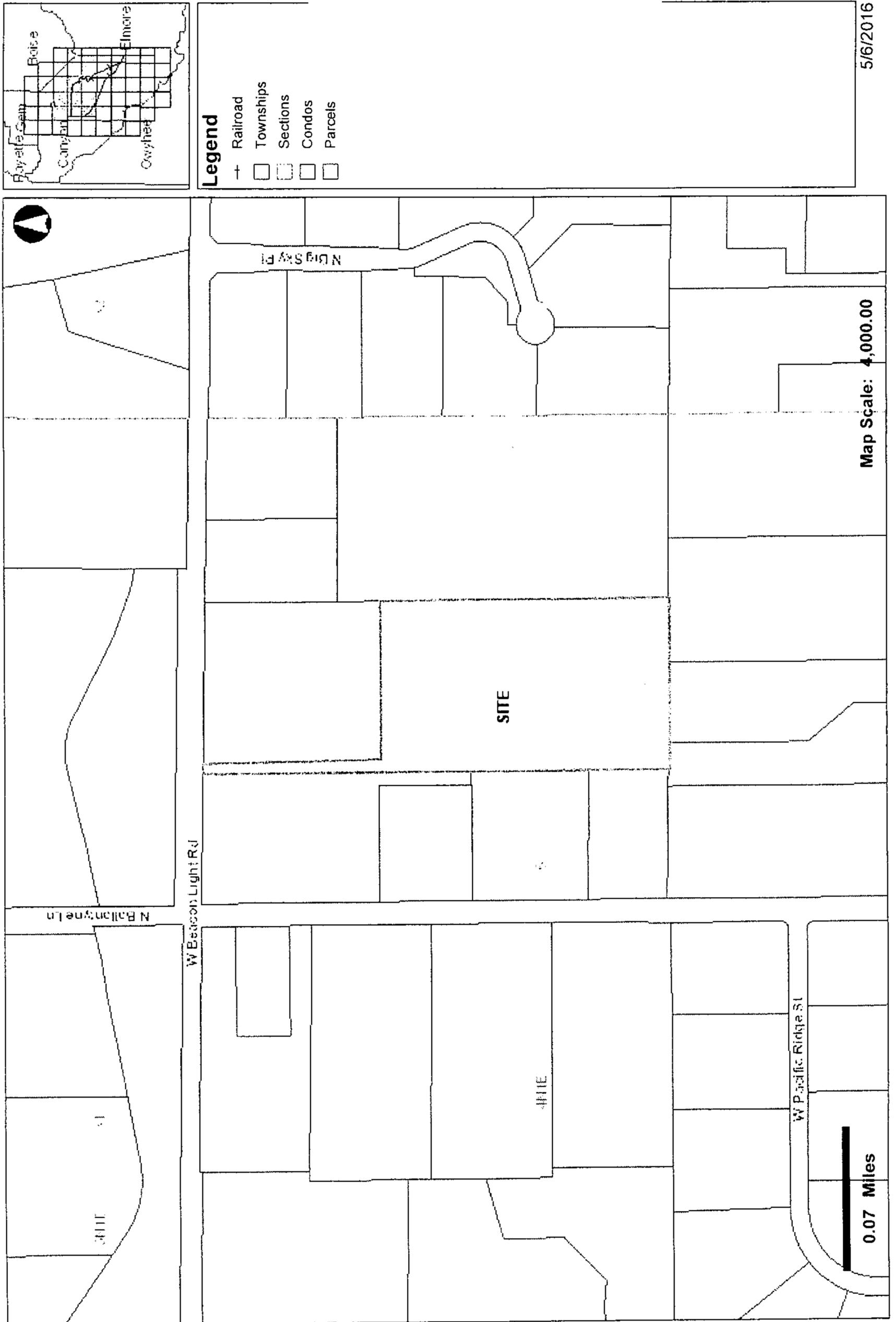
thence N.89°17'27"W. 25.87 feet along the said north boundary of Government Lot 1, Section 6, and the said centerline of W. Beacon Light Road to the point of beginning, containing 8.36 acres, more or less.

SUBJECT TO AND/OR TOGETHER WITH:  
Any easements or rights of way of record or in use.



# Ada County Assessor

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION OR LEGAL PURPOSES.



## EXHIBIT "B"

