



ORDINANCE NO. 761

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-DA (RESIDENTIAL-ESTATES 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 R-E-DA; and

WHEREAS, the property described in Exhibit "A" is located at 3709 West Floating Feather Road; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on May 16, 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 June 14, 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-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.

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-DA (Residential-Estates 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 R-E-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 15th day of November 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



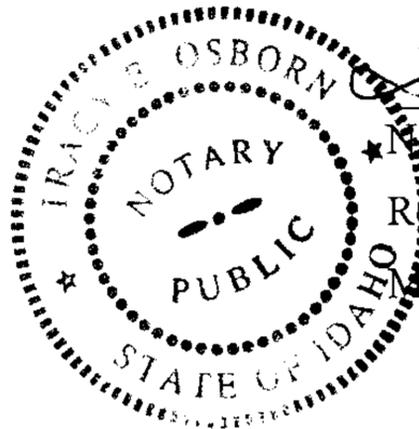
STATE OF IDAHO)

: ss.

County of Ada)

On this 16 day of November, 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: Kuna Idaho
My Commission Expires: 1/12/2021

EXHIBIT "A"



1450 East Watertower St.
Suite 130
Meridian, Idaho 83642

Phone (208) 846-8570
Fax (208) 884-5399

Route to: _____

Project No. 16-010

March 3, 2016

**ANNEXATION DESCRIPTION FOR
EUSTERMAN SUBDIVISION**

Lot 4, Block 1 of Ray's Acres Subdivision as file in Book 30 of Plats at Pages 1870 and 1871, records of Ada County, Idaho and a portion of the NW 1/4 of the NE 1/4 of Section 12, T.4N., R.1W., B.M., Ada County, Idaho more particularly described as follows:

Commencing at the NE corner of said Section 12 from which the N1/4 corner of said Section 12 bears North 89°22'24" West, 2641.97 feet;

thence along the North boundary line of said Section 12 North 89°22'24" West, 1,620.50 feet to the **REAL POINT OF BEGINNING**;

thence leaving said North boundary line and along the East boundary line of said Lot 4 and the northerly extension thereof South 00°40'07" West, 825.88 feet to the SE corner of said Lot 4;

thence along the southerly boundary line of said Lot 4 North 84°40'58" West, 302.32 feet to the SW corner of said Lot 4;

thence along the West boundary line of said Lot 4 and the northerly extension thereof North 00°46'04" East, 801.16 feet to a point on the North boundary line of said Section 12;

thence along said North boundary line South 89°22'24" East, 299.94 feet to the **REAL POINT OF BEGINNING**. Containing 5.61 acres, more or less.



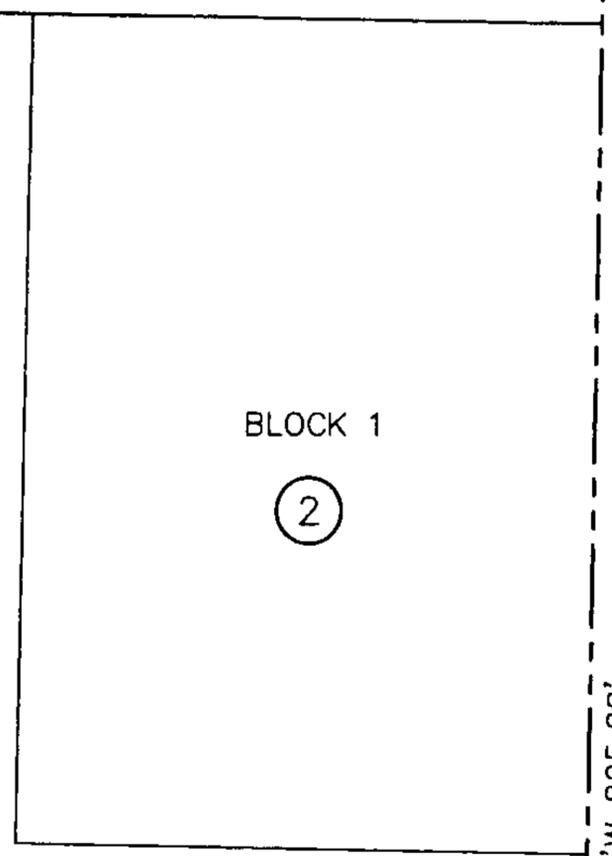
EXHIBIT "B"

1/4 S.1 S.12 W. FLOATING FEATHER ROAD 721.53' 299.94' 1620.50' S.1 S.6 S.12 S.7

BASIS OF BEARING N89°22'24"W 2641.97'

REAL POINT OF BEGINNING

RECEIVED & FILED
CITY OF EAGLE
MAR 03 2016
T4N R1W T4N R1E
File: _____
Route to: _____



BLOCK 1

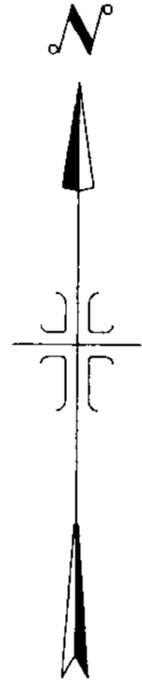
②

△
3
RAY'S ACRES

△
5
RAY'S ACRES

5.61 ACRES

①

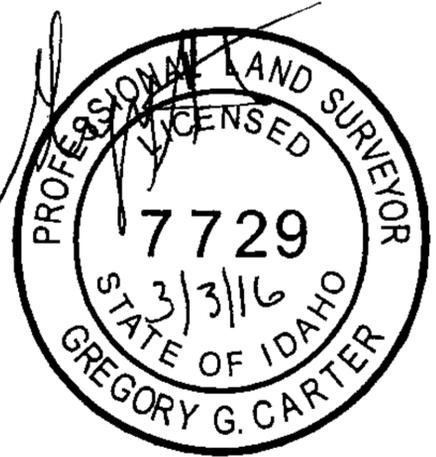


N84°40'58"W 302.32'
(N85°27'34"W)

△
6
RAY'S ACRES



SCALE: 1" = 120'



IDAHO SURVEY GROUP, P.C.
1450 E. WATERTOWER ST.
SUITE 130
MERIDIAN, IDAHO 83642
(208) 846-8570

ANNEXATION EXHIBIT DRAWING FOR EUSTERMAN SUBDIVISION
LOT 4, BLOCK 1 OF RAY'S ACRES SUBDIVISION LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 12, T.4N., R.1W., B.M. ADA COUNTY, IDAHO

JOB NO. 16-010
SHEET NO. 1
DWG. DATE 3/3/2016