

MAR 01 2024

CLERK NO. 51

REC'D MAR 08 2024

SCANNED

ORDINANCE NO. 915

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 – ADA COUNTY DESIGNATION) 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, Clark Mahy 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 identified by the Ada County Assessor's Office as tax parcel number Parcel #S0401110275; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on May 17, 2021, 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 February 22, 2022, 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.

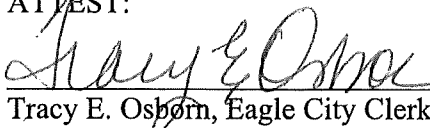
**Section 6:** This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

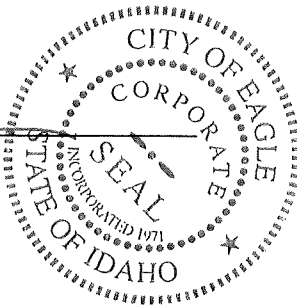
DATED this 27th day of February 2024.

CITY COUNCIL OF THE CITY OF EAGLE  
Ada County, Idaho

  
\_\_\_\_\_  
Brad Pike, Mayor

ATTEST:

  
\_\_\_\_\_  
Tracy E. Osborn, Eagle City Clerk



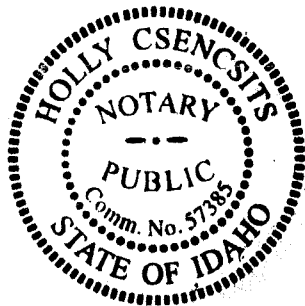
STATE OF IDAHO )

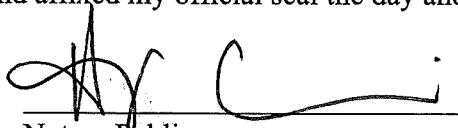
: ss.

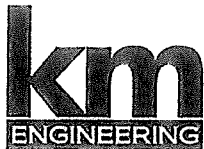
County of Ada )

On this 27 day of February, in the year 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared BRAD PIKE, 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.



  
\_\_\_\_\_  
Notary Public  
Residing at: Eagle, Idaho  
My Commission Expires: 2/26/25



9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

November 17, 2020  
Project No. 20-119

**Exhibit A**

A parcel of land situated in a portion of Government Lot 1, Section 1, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a found aluminum cap marking the Northeast corner of said Government Lot 1, which bears  $N00^{\circ}53'58''W$  a distance of 2,685.06 feet from a found brass cap marking the East 1/4 corner of said Section 1;

Thence following the easterly line of said Government Lot 1,  $S00^{\circ}53'58''$  a distance of 1,320.07 feet;

Thence leaving said easterly line,  $N89^{\circ}13'17''W$  a distance of 25.00 feet to the westerly right-of-way line of North Meridian Road and being the **POINT OF BEGINNING**.

Thence  $N89^{\circ}13'17''W$  a distance of 382.70 feet to a found 1/2-inch rebar on the easterly subdivision boundary line of Tamara Place Subdivision (Book 58 of Plats, Page 5538);

Thence following said easterly subdivision boundary line,  $N00^{\circ}55'02''E$  a distance of 534.34 feet to the southerly subdivision boundary line of Gallup Estates (Book 78, Pages 8193-8194);

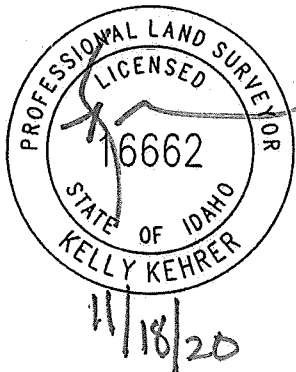
Thence leaving said easterly subdivision boundary line and following said southerly subdivision boundary line,  $S89^{\circ}13'17''E$  a distance of 382.54 feet to said westerly right-of-way line of North Meridian Road;

Thence leaving said southerly subdivision boundary line and following said westerly right-of-way line,  $S00^{\circ}53'58''W$  a distance of 534.34 feet to the **POINT OF BEGINNING**;

Said parcel contains a total of 4.693 acres, more or less.

Attached hereto is **Exhibit B** and by this reference is hereby made a part hereof.

All subdivisions, deeds, records of surveys and other instruments of record referenced herein are recorded documents of the county in which these described lands are situated in.





REC'D MAR 08 2024

City of Eagle

P.O. Box 1520  
Eagle, Idaho 83616  
208-939-6813

**CLERK'S CERTIFICATION**

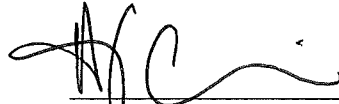
STATE OF IDAHO)

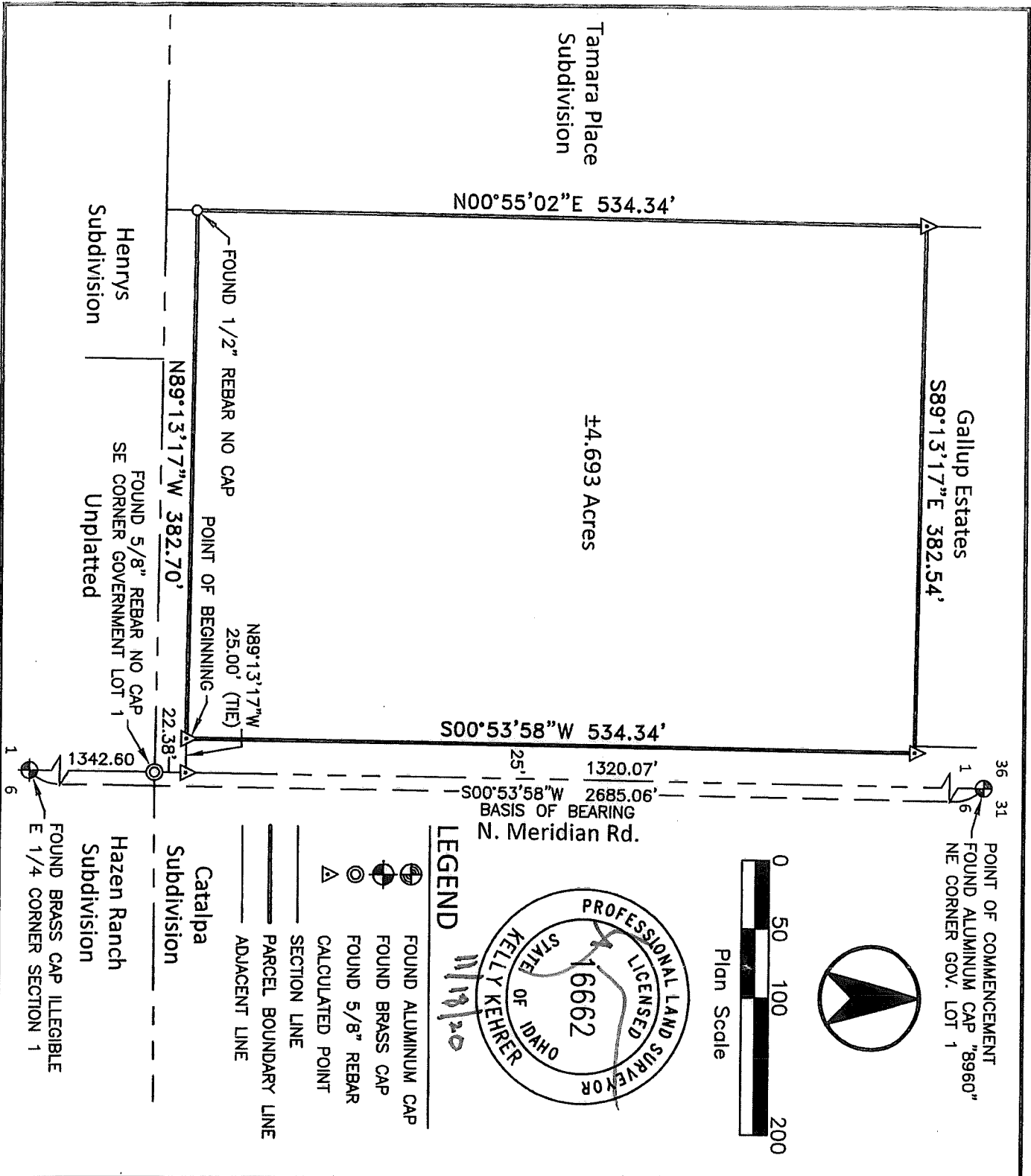
: ss.

County of Ada )

I, Tracy E. Osborn, the duly appointed, qualified and acting City Clerk of the City of Eagle, County of Ada, State of Idaho, do hereby certify that the attached is a full, true and complete copy of Ordinance 915 that was recorded by Ada County on February 29, 2024.

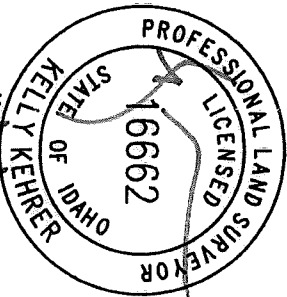
IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Eagle, Idaho, on the 1, March 2024.

  
\_\_\_\_\_  
Tracy E. Osborn,  
City Clerk



**LEGEND**

- FOUND ALUMINUM CAP
- FOUND BRASS CAP
- FOUND 5/8" REBAR
- △ CALCULATED POINT
- SECTION LINE
- PARCEL BOUNDARY LINE
- ADJACENT LINE



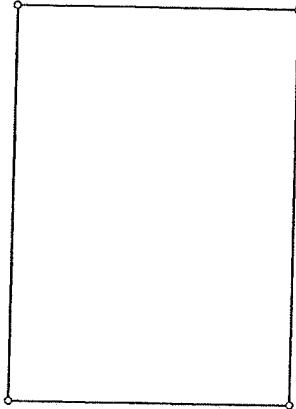
**Exhibit B**

Portion of Government Lot 1 of Section 1  
T4N., R1W., B.M., Ada County, Idaho

DATE: 11/17/20  
PROJECT: 20-119

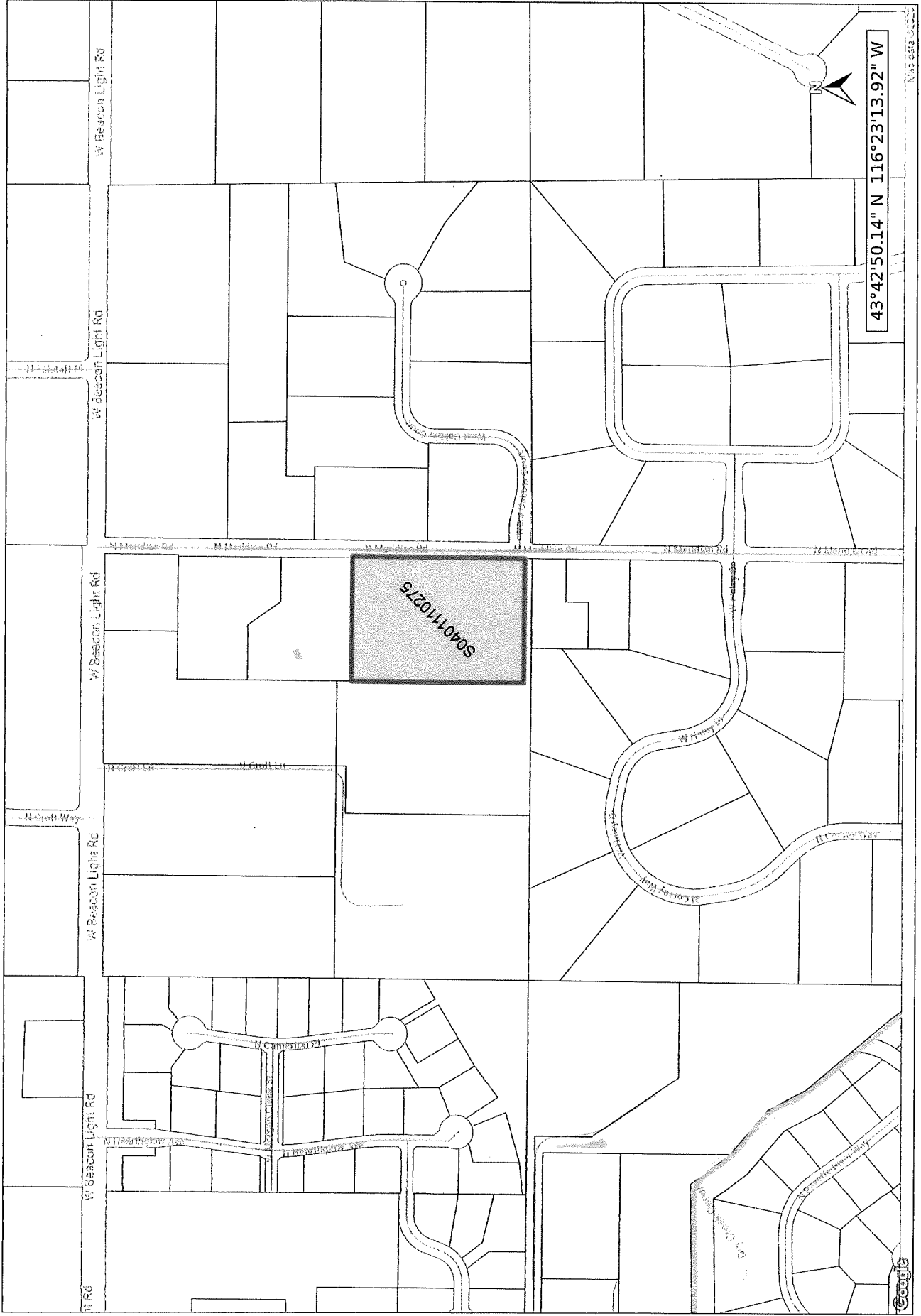
SHEET: 1 OF 1

**KIM ENGINEERING**  
9233 WEST STATE STREET  
BOISE, IDAHO 83714  
PHONE (208) 639-6939  
kmenr@idlp.com



Title:		Date: 11-17-2020
Scale: 1 inch = 250 feet	File: Deed Plotter.des	
Tract 1: 4.693 Acres: 204449 Sq Feet; Closure = n85.3055w 0.01 Feet: Precision =1/315804: Perimeter = 1834 Feet		
001=n89.1317w 382.70	003=s89.1317e 382.54	
002=n00.5502e 534.34	004=s00.5358w 534.34	

# Vicinity Map





his may be county support.

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3/6/2024

RECEIVED  
IDAHO  
TAX COMMISSION

MAR 01 2024

CLERK NO. 61

ADA COUNTY RECORDER Trent Triple  
BOISE IDAHO Pgs=7 VICTORIA BAILEY  
CITY OF EAGLE, IDAHO

2024-010576  
02/29/2024 03:33 PM  
NO FEE



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Prop. Tax