



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 920 that was recorded by Ada County on May 1, 2024.

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


Tracy E. Osborn,
City Clerk



COPIES

SCANNED

ORDINANCE NO. 920

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-1-DA-P (RESIDENTIAL WITH A DEVELOPMENT AGREEMENT – PUD) AND R-3-DA-P (RESIDENTIAL WITH A DEVELOPMENT AGREEMENT – PUD); 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, Gemshore Eagle RE, LLC, the owner of the real property situated in the unincorporated area of Ada County and particularly described in Exhibit “A” and shown in Exhibit “B” of this ordinance has requested, in writing, annexation of said real property to the City of Eagle; and

WHEREAS, the property described in Exhibit “A” is identified by the Ada County Assessor’s Office as tax parcel number S0412110064; and

WHEREAS, the owners of the real property situated within the City of Eagle and particularly described in Exhibit “C” and shown in Exhibit “D” of this ordinance has requested, in writing, a rezone from RUT to R-1-DA-P; and

WHEREAS, the owners of the real property situated within the City of Eagle and particularly described in Exhibit “E” and shown in Exhibit “F” of this ordinance has requested, in writing, a rezone from RUT to R-3-DA-P; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on September 6, 2022, and October 17, 2022, as required by Section 67-6525, Idaho Code, and made a recommendation to the Mayor and Council; and

ORDINANCE NO. 920

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-1-DA-P (RESIDENTIAL WITH A DEVELOPMENT AGREEMENT – PUD) AND R-3-DA-P (RESIDENTIAL WITH A DEVELOPMENT AGREEMENT – PUD); 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, Gemshore Eagle RE, LLC, the owner of the real property situated in the unincorporated area of Ada County and particularly described in Exhibit “A” and shown in Exhibit “B” of this ordinance has requested, in writing, annexation of said real property to the City of Eagle; and

WHEREAS, the property described in Exhibit “A” is identified by the Ada County Assessor’s Office as tax parcel number S0412110064; and

WHEREAS, the owners of the real property situated within the City of Eagle and particularly described in Exhibit “C” and shown in Exhibit “D” of this ordinance has requested, in writing, a rezone from RUT to R-1-DA-P; and

WHEREAS, the owners of the real property situated within the City of Eagle and particularly described in Exhibit “E” and shown in Exhibit “F” of this ordinance has requested, in writing, a rezone from RUT to R-3-DA-P; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on September 6, 2022, and October 17, 2022, 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 January 24, 2023, on the proposed annexation described in Exhibit "A" and zoning for the real property described in Exhibit "C" and Exhibit "E" 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-1-DA-P and R-3-DA-P for the property described in Exhibit "C" and Exhibit "E" 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" and shown in Exhibit "B" 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 hereto 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 "C" and generally as shown on Exhibit "D", attached hereto and incorporated by reference, is hereby removed from the RUT (Rural-Urban Transition) zoning classification and is hereby included in the R-1-DA-P (Residential with a development agreement – PUD) 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 "C" in the R-1-DA-P zoning district.

Section 4 The City Council hereby finds and determines that the real property particularly described in Exhibit "E" and generally as shown on Exhibit "F", attached hereto and incorporated by reference, is hereby removed from the RUT (Rural-Urban Transition) zoning classification and is hereby included in the R-3-DA-P (Residential with a development agreement – PUD) 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 "E" in the R-3-DA-P zoning district.

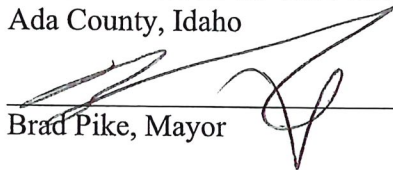
Section 5: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory described above shall be subject to all ordinances, resolutions, police regulations, taxation, and other powers of the City of Eagle.

Section 6: 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 7: 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 April 2024.

CITY COUNCIL OF THE CITY OF EAGLE
Ada County, Idaho



Brad Pike, Mayor

ATTEST:



Tracy E. Osborn, Eagle City Clerk



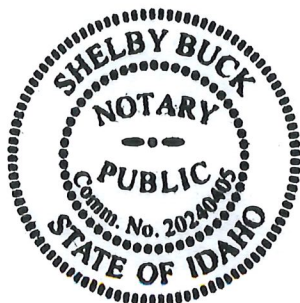
STATE OF IDAHO)

: ss.

County of Ada)

On this 23 day of April, 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: Ada County

My Commission Expires: 2-2-2030

February 3, 2022
Carp Ranch Subdivision
Project No. 21-163

Exhibit A
City of Eagle Annexation Legal Description

A parcel of land situated in the East 1/2 of the Northeast 1/4 of Section 12, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

BEGINNING at a found brass cap marking the Northeast corner of said Section 12, which bears N00°28'34"E a distance of 2,641.83 feet from a found aluminum cap marking the East 1/4 corner of said Section 12, thence following the easterly line of said Northeast 1/4, S00°28'34"W a distance of 1,651.24 feet to a found 5/8" rebar;

Thence leaving said easterly line, N89°21'20"W a distance of 1,321.75 feet to a found 5/8" rebar on the westerly line of said East 1/2 of the Northeast 1/4 of Section 12;

Thence following said westerly line, N00°31'11"E a distance of 791.18 feet to the Southwest corner of Creek Water Subdivision (Book 108 of Plats, Pages 15305-15309);

Thence leaving said westerly line and following the boundary of said Creek Water Subdivision the following four (4) courses:

1. S85°32'06"E a distance of 391.87 feet;
2. N00°43'26"E a distance of 51.96 feet;
3. S84°32'02"E a distance of 311.29 feet;
4. N00°43'49"E a distance of 860.18 feet to the northerly line of said Northeast 1/4;

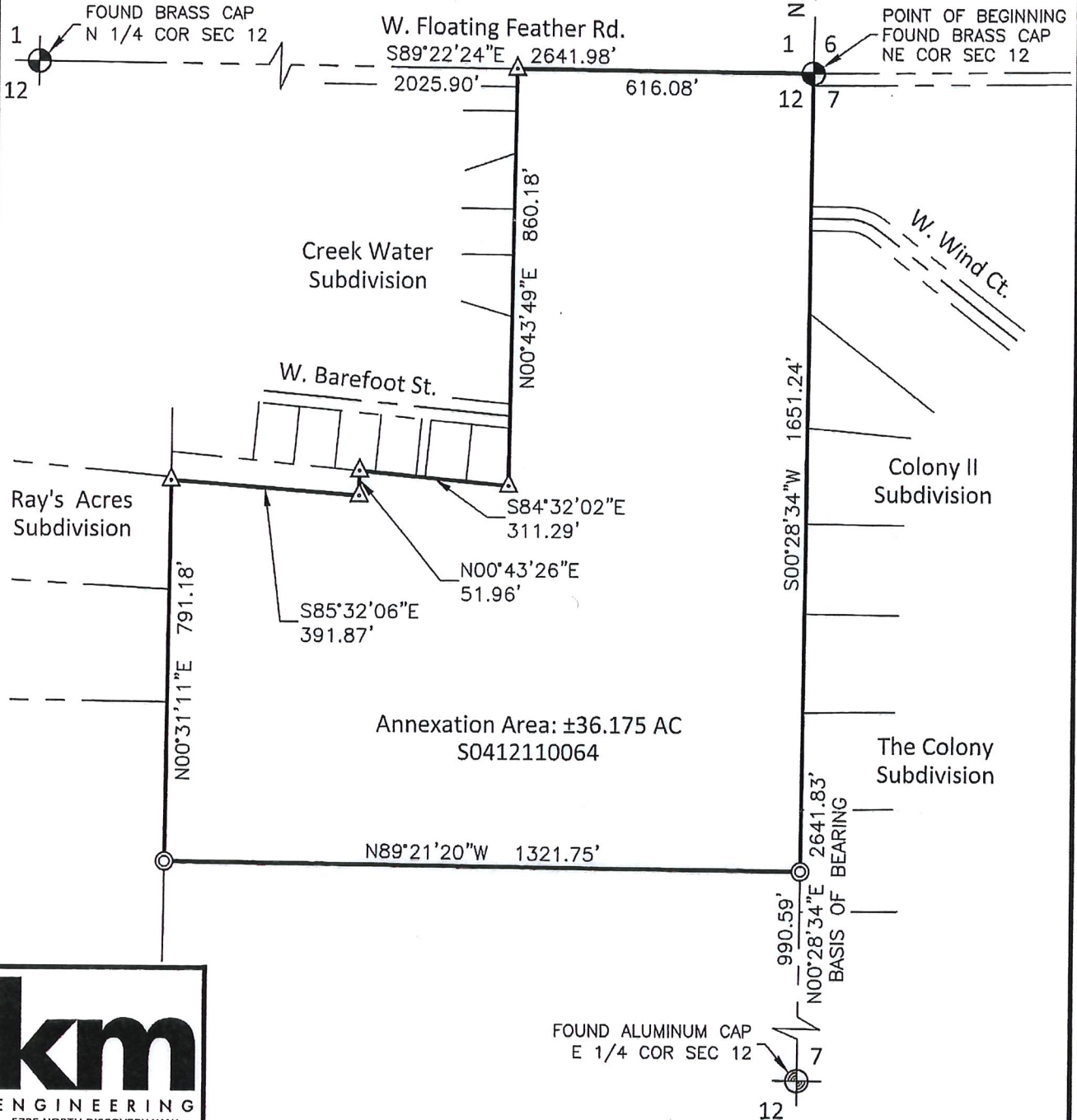
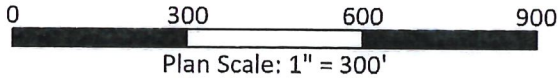
Thence leaving said subdivision boundary and following said northerly line, S89°22'24"E a distance of 616.08 feet to the **POINT OF BEGINNING**.

Said parcel contains 36.175 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

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

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





km
ENGINEERING
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6939
kmengllp.com

DATE: FEB 2022
PROJECT: 21-163

SHEET:
1 OF 1

Exhibit B - Annexation Legal Description
Carp Ranch Subdivision

Situated in the E 1/2 of the NE 1/4, Sec. 12,
T4N, R1W, Boise Meridian, Ada County, Idaho

P:\21-163\CADD\SURVEY\EXHIBITS\220105 ANNEXATION 21-163.DWG - PETER FRIEDEWALD, 2/3/2022, DWG TO PDF.PC3, 08.5X11.P [PDF]

April 5, 2024
Carp Ranch Subdivision
Project No. 21-163

Exhibit C
Legal Description for Rezone from RUT to R-1-DA-P

A parcel of land situated in the East 1/2 of the Northeast 1/4 of Section 12, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

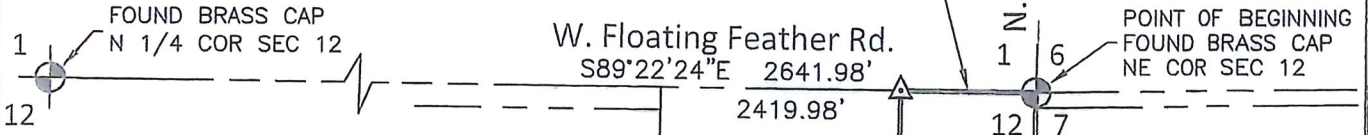
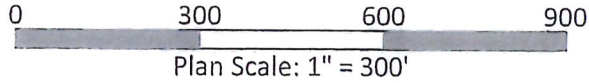
BEGINNING at a found brass cap marking the Northeast corner of said Section 12, which bears N00°28'34"E a distance of 2,641.83 feet from a found aluminum cap marking the East 1/4 corner of said Section 12, thence following the easterly line of said Northeast 1/4, S00°28'34"W a distance of 1,651.24 feet to a found 5/8" rebar;
Thence leaving said easterly line, N89°21'20"W a distance of 267.73 feet;
Thence N00°38'40"E a distance of 393.40 feet;
Thence 61.72 feet along the arc of a curve to the right, said curve having a radius of 351.50 feet, a delta angle of 10°03'39", a chord bearing of N05°40'29"E, and a chord distance of 61.64 feet;
Thence N10°42'18"E a distance of 172.44 feet;
Thence 61.19 feet along the arc of a curve to the left, said curve having a radius of 348.50 feet, a delta angle of 10°03'39", a chord bearing of N05°40'29"E, and a chord distance of 61.12 feet;
Thence N00°38'40"E a distance of 965.69 feet to the northerly line of said Northeast 1/4;
Thence following said northerly line, S89°22'24"E a distance of 222.00 feet to the **POINT OF BEGINNING**.

Said parcel contains 9.013 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

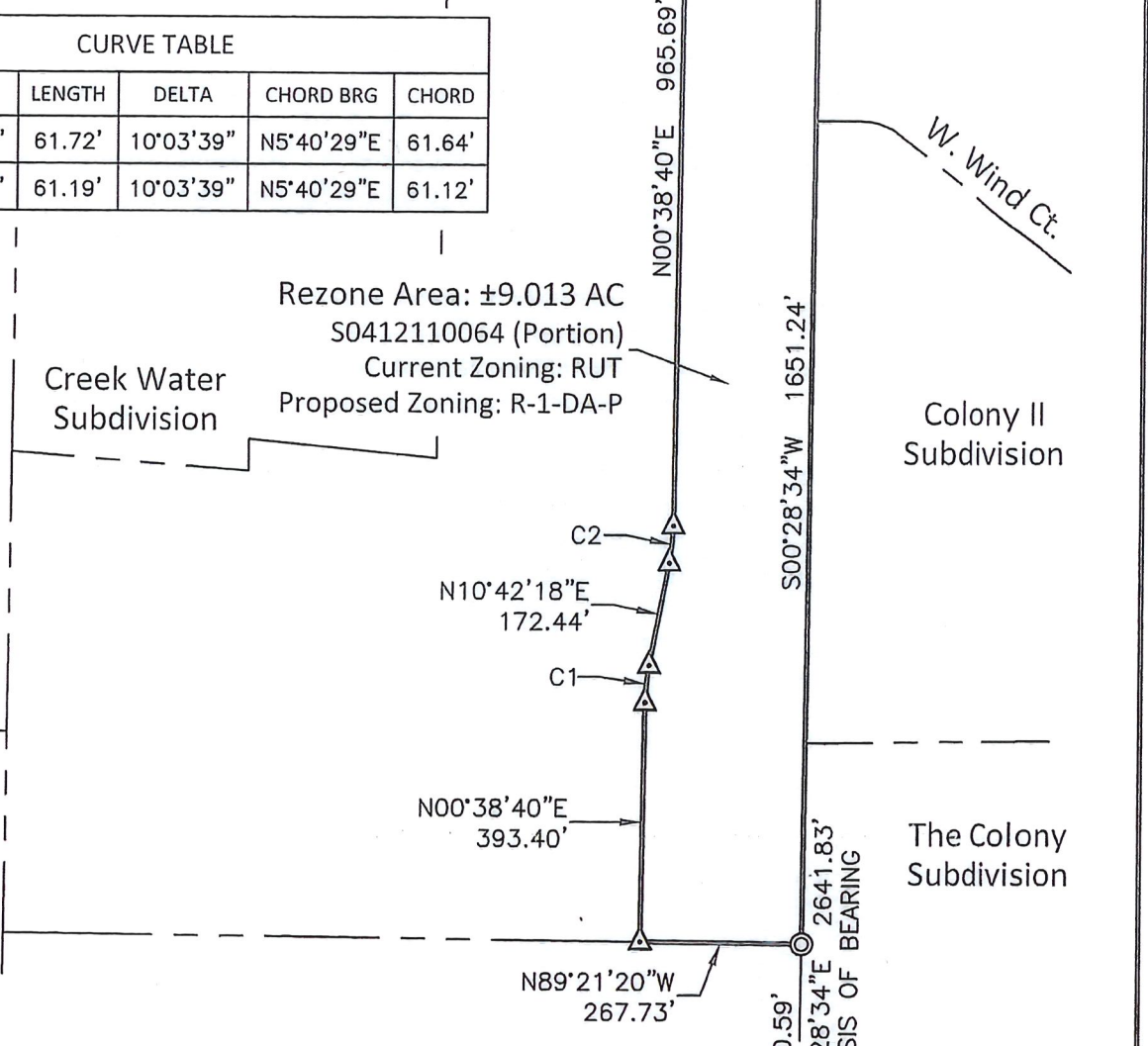
Attached hereto is **Exhibit D** and by this reference is hereby made a part hereof.



4.5.2024



CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	351.50'	61.72'	10°03'39"	N5°40'29"E	61.64'
C2	348.50'	61.19'	10°03'39"	N5°40'29"E	61.12'



km
ENGINEERING
 5725 NORTH DISCOVERY WAY
 BOISE, IDAHO 83713
 PHONE (208) 639-6939
 kmengllp.com

DATE: APRIL 2024
 PROJECT: 21-163
 SHEET: 1 OF 1

**Exhibit D - Rezone Legal Description
 Carp Ranch Subdivision**

Situated in the E 1/2 of the NE 1/4, Sec. 12,
 T4N, R1W, Boise Meridian, Ada County, Idaho

P:\21-163\CAD\SURVEY\EXHIBITS\220203 REZONE TO R1 21-163.DWG, AARON BALLARD, 4/5/2024, ESTUDIO907.PC3,

April 5, 2024
Carp Ranch Subdivision
Project No. 21-163

Exhibit E
Legal Description for Rezone from RUT to R-3-DA-P

A parcel of land situated in the East 1/2 of the Northeast 1/4 of Section 12, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

Commencing at a found brass cap marking the Northeast corner of said Section 12, which bears $N00^{\circ}28'34''E$ a distance of 2,641.83 feet from a found aluminum cap marking the East 1/4 corner of said Section 12, thence following the northerly line of said Northeast 1/4, $N89^{\circ}22'24''W$ a distance of 222.00 feet to the **POINT OF BEGINNING**.

Thence leaving said northerly line, $S00^{\circ}38'40''W$ a distance of 965.69 feet;
Thence 61.19 feet along the arc of a curve to the right, said curve having a radius of 348.50 feet, a delta angle of $10^{\circ}03'39''$, a chord bearing of $S05^{\circ}40'29''W$, and a chord distance of 61.12 feet;
Thence $S10^{\circ}42'18''W$ a distance of 172.44 feet;
Thence 61.72 feet along the arc of a curve to the left, said curve having a radius of 351.50 feet, a delta angle of $10^{\circ}03'39''$, a chord bearing of $S05^{\circ}40'29''W$, and a chord distance of 61.64 feet;
Thence $S00^{\circ}38'40''W$ a distance of 393.40 feet;
Thence $N89^{\circ}21'20''W$ a distance of 1,054.02 feet to a found 5/8-inch rebar on the westerly line of said East 1/2 of the Northeast 1/4 of Section 12;
Thence following said westerly line, $N00^{\circ}31'11''E$ a distance of 791.18 feet to the Southwest corner of Creek Water Subdivision (Book 108 of Plats, Pages 15305-15309);
Thence leaving said westerly line and following the boundary of said Creek Water Subdivision the following four (4) courses:

1. $S85^{\circ}32'06''E$ a distance of 391.87 feet;
2. $N00^{\circ}43'26''E$ a distance of 51.96 feet;
3. $S84^{\circ}32'02''E$ a distance of 311.29 feet;
4. $N00^{\circ}43'49''E$ a distance of 860.18 feet to said northerly line of the Northeast 1/4 of Section 12;

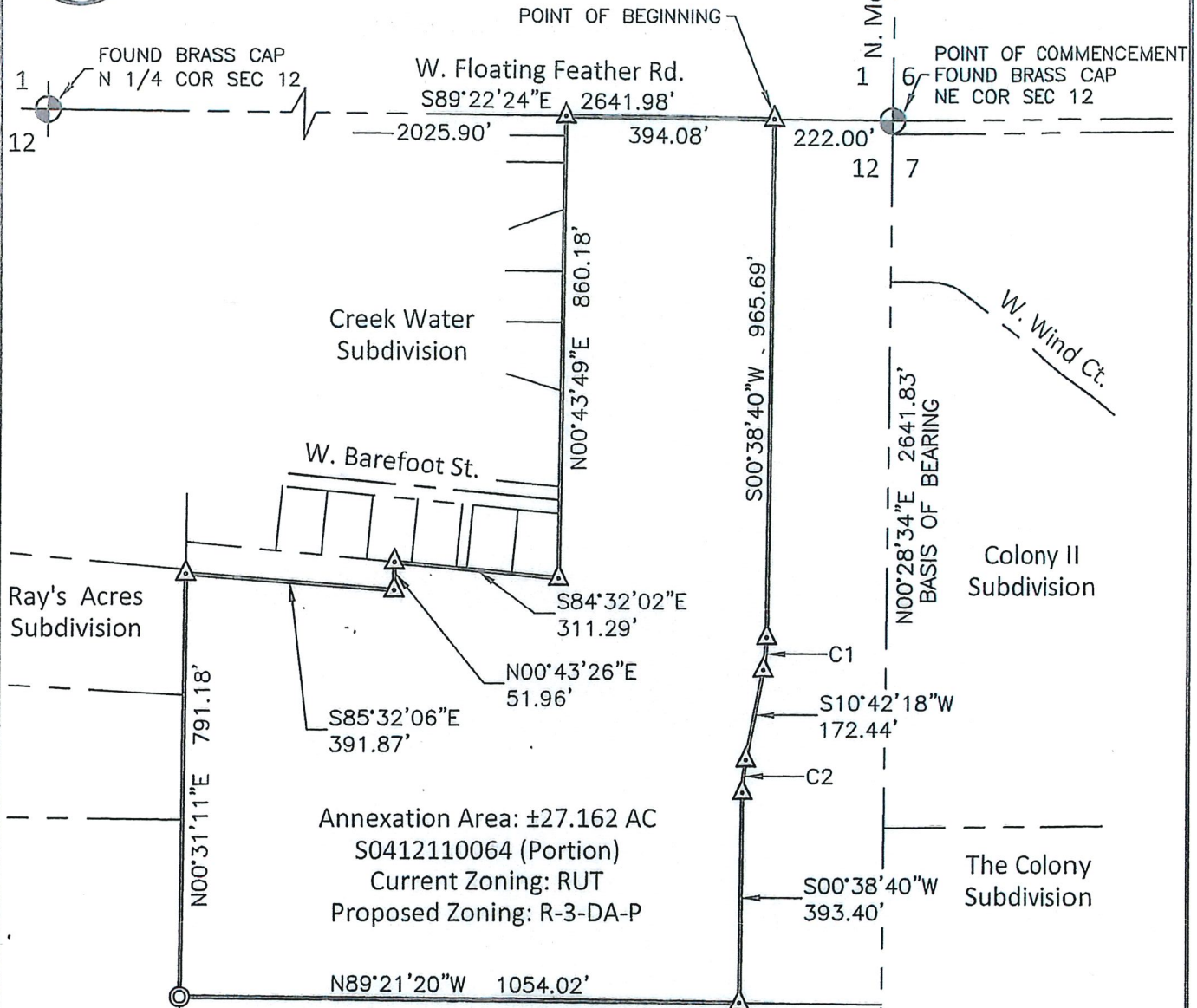
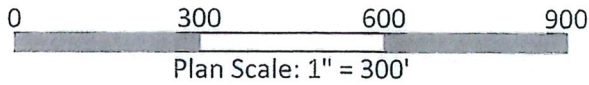
Thence leaving said subdivision boundary and following said northerly line, $S89^{\circ}22'24''E$ a distance of 394.08 feet to the **POINT OF BEGINNING**.

Said parcel contains 27.162 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

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

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





CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	348.50'	61.19'	10°03'39"	S5°40'29"W	61.12'
C2	351.50'	61.72'	10°03'39"	S5°40'29"W	61.64'

km
ENGINEERING
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6939
kmengllp.com

DATE: APRIL 2024
PROJECT: 21-163
SHEET: 1 OF 1

Exhibit F - Rezone Legal Description
Carp Ranch Subdivision

Situated in the E 1/2 of the NE 1/4, Sec. 12,
T4N, R1W, Boise Meridian, Ada County, Idaho

P:\21-163\CAD\SURVEY\EXHIBITS\20203 REZONE TO R3 21-163.DWG, AARON BALLARD, 4/5/2024, ESTUDIO907.PC3,

