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2024-000716

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CHRIS YAMAMOTO

CANYON COUNTY RECORDER

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NO FEE

ORDINANCE

NAMPA CITY OF

ORDINANCE NO. 4779

AN ORDINANCE OF THE CITY OF NAMPA, IDAHO DETERMINING THAT CERTAIN LANDS, COMMONLY KNOWN AS 0 SOUTH MIDDLETON ROAD (COUNTY PARCEL # R3203001000 AND FRONT FACING RIGHT-OF-WAY); COMPRISING APPROXIMATELY 13.84 ACRES AND 2.64 ACRES , MORE OR LESS, LAY CONTIGUOUS TO THE LIMITS OF THE CITY OF NAMPA, CANYON COUNTY, STATE OF IDAHO, AND THAT SAID 13.84 ACRES SHOULD BE ANNEXED INTO THE CITY OF NAMPA, AND BE ZONED RS4 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT AND SAID 2.64 ACRES SHOULD BE ANNEXED INTO THE CITY OF NAMPA, AND BE ZONED RS6 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT; THAT THE SUBDIVISION PRELIMINARY PLAT FOR THE CLEARCREEK SUBDIVISION BE APPROVED; DECLARING SAID LANDS BY PROPER LEGAL DESCRIPTION AS DESCRIBED BELOW TO BE A PART OF THE CITY OF NAMPA; DETERMINING THAT SAID ANNEXATION AND ZONING AND APPROVAL OF PRELIMINARY PLAT ARE IN THE BEST INTEREST OF THE PUBLIC AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; DIRECTING THE CITY ENGINEER AND PLANNING AND ZONING DIRECTOR TO ADD SAID PROPERTY TO THE OFFICIAL MAPS OF THE CITY OF NAMPA, AND TO DESIGNATE SAID PROPERTY AS RS4 (SINGLE-FAMILY RESIDENTIAL) AND RS6 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT AS SPECIFIED, ON THE OFFICIAL ZONING MAP AND OTHER AREA MAPS OF THE CITY; PROVIDING FOR RECORDATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; REPEALING ALL ORDINANCES, RESOLUTIONS, ORDERS OR PARTS THEREOF IN CONFLICT HEREWITH; AND, DIRECTING THE CITY CLERK TO FILE A CERTIFIED COPY OF THE ORDINANCE AND MAP OF THE AREA TO BE ANNEXED WITH CANYON COUNTY, STATE OF IDAHO AND THE IDAHO STATE TAX COMMISSION, PURSUANT TO IDAHO CODE, SECTION 63-215.

BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF NAMPA, CANYON COUNTY, STATE OF IDAHO;

SECTION 1. The Nampa City Council, upon the recommendation of the Nampa Planning & Zoning Commission and compliance with the public notice and hearing processes required by Idaho Code chapter 65, Title 67, and Nampa City Code § 10-03-08 and Chapter 2, Title 10, approved the annexation and zoning application in Case No. ANN-00283-2023 & SPP-00125-2023 at a public hearing held on September 18, 2023.

SECTION 2. It is hereby determined to be in the best interests of the public, and consistent with the Nampa Comprehensive Plan, that the following described property which is contiguous to the City of Nampa, Canyon County, Idaho, commonly known as 0 South Middleton Road (County Parcel # R3203001000) and its front-facing right-of-way; Comprising approximately 13.84 acres and 2.64 acres, more or less, should be annexed into the City of Nampa, and the 13.84 acres be zoned RS4 (Single-Family Residential) zoning district, and the 2.64 acres should be zoned RS6 (Single-Family Residential) zoning district to-wit:

See Exhibit “A” attached hereto and made a part hereof by this reference.

Said property is also visually depicted in the drawing marked as **Exhibit “B”** attached hereto and made a part hereof by this reference.

SECTION 3. That the above-described property is hereby annexed into the corporate limits of the City of Nampa and zoned RS4 (Single-Family Residential) zoning district and RS6 (Single-Family Residential) zoning districts and that the subdivision preliminary plat for Clearcreek Subdivision be approved.

SECTION 4. That the recordation of this ordinance shall be deemed for all intents and purposes as an amendment to the zoning ordinance and zoning map of the City of Nampa. The City Engineer and the Planning & Zoning Director of the City of Nampa, Idaho, are hereby instructed to so designate the same above-described property on the official zoning map and other area maps of the City of Nampa, Idaho as lying within the city limits and zoned RS4 (Single-Family Residential) and RS6 (Single-Family Residential) zoning district.

SECTION 5. This ordinance shall be in full force and effect from and after its passage, approval, publication and recordation according to law. The aforementioned annexation and zoning is subject to the conditions of approval adopted by the City Council in its decision made a part hereof by reference.

SECTION 6. All ordinances, rules and regulations, and parts thereof, in conflict herewith are repealed. This ordinance is severable.

SECTION 7. The Clerk of the City of Nampa, Idaho shall, within 10 days following the effective date of this ordinance, duly file a certified copy of this ordinance and a map prepared in a draftsman-like manner plainly and clearly designating the boundaries of the City of Nampa, including the land herein annexed, with the following officials of the County of Canyon, State of Idaho, to-wit: the Recorder, Auditor, Treasurer and Assessor and shall file simultaneously a certified copy of this ordinance with the State Tax Commission of the State of Idaho, all in compliance with Idaho Code 63-215.

PASSED BY THE COUNCIL OF THE CITY OF NAMPA, IDAHO, THIS 2ND DAY OF JANUARY 2024.

APPROVED BY THE MAYOR OF THE CITY OF NAMPA, IDAHO, THIS 2ND DAY OF JANUARY 2024.



Mayor Debbie Kling

Attest:


City Clerk

State of Idaho)

Canyon County)

On this 2nd day of January 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Debbie Kling known to be the Mayor and Charlene Tim known to be the City Clerk of the City of Nampa, a municipal corporation, who executed the foregoing instrument.

In Witness Thereof, I have hereunto set my hand and affixed by official seal, the day and year in this certificate first above written.



Residing at: Nampa, Canyon County, Idaho
My Commission Expires: 9-11-2029



EXHIBIT A – LEGAL DESCRIPTION

Legal Description
Proposed Clearcreek Subdivision
R-4 Zone

A parcel being a portion of the NW ¼ of the NW ¼ of Section 29, Township 3 North, Range 2 West, Boise Meridian, City of Nampa, Canyon County, Idaho, and more particularly described as follows:

BEGINNING at a Brass Cap monument marking the southwest corner of the NW ¼ of the NW ¼ of said Section 29, from which an Aluminum Cap monument marking the northwest corner of said NW ¼ of the NW ¼ bears N 0°15'45" E a distance of 1323.64 feet;

Thence along the westerly boundary of said NW ¼ of the NW ¼ N 0°15'45" E a distance of 1091.95 feet to a point on the centerline of the Wilson Drain;

Thence leaving said boundary and along said centerline S 50°02'31" E a distance of 1106.38 feet to a point;

Thence leaving said centerline S 19°25'49" W a distance of 289.33 feet to a point;

Thence S 19°06'10" W a distance of 118.17 feet to a point on the southerly boundary of said NW ¼ of the NW ¼;

Thence along said boundary N 89°45'02" W a distance of 718.14 feet to the **POINT OF BEGINNING**.

This parcel contains 13.84 acres.

Clinton W. Hansen, PLS
Land Solutions, PC
April 24, 2023



Legal Description
Proposed Clearcreek Subdivision
R-6 Zone

A parcel being a portion of the NW ¼ of the NW ¼ of Section 29, Township 3 North, Range 2 West, Boise Meridian, City of Nampa, Canyon County, Idaho, and more particularly described as follows:

Commencing at a Brass Cap monument marking the southwest corner of the NW ¼ of the NW ¼ of said Section 29, from which an Aluminum Cap monument marking the northwest corner of said NW ¼ of the NW ¼ bears N 0°15'45" E a distance of 1323.64 feet;

Thence along the southerly boundary of said NW ¼ of the NW ¼ S 89°45'02" E a distance of 718.14 feet to the **POINT OF BEGINNING**;

Thence leaving said boundary N 19°06'10" E a distance of 118.17 feet to a point;

Thence N 19°25'49" E a distance of 289.33 feet to a point on the centerline of the Wilson Drain;

Thence along said centerline S 50°02'31" E a distance of 580.12 feet to a point on the westerly boundary of Camden Heights Subdivision No. 2, as shown in Book 31 of Plats on Page 40, records of Canyon County, Idaho;

Thence leaving said centerline and along said subdivision boundary S 0°15'32" W (formerly S 0°15'45" W) a distance of 14.47 feet to a point on the southerly boundary of said NW ¼ of the NW ¼, also being the northerly boundary of Lancaster Villa Subdivision, as shown in Book 42 of Plats on Page 8, records of Canyon County, Idaho;

Thence along said boundary N 89°45'02" W a distance of 579.54 feet to the **POINT OF BEGINNING**.

This parcel contains 2.64 acres.

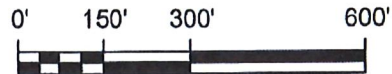
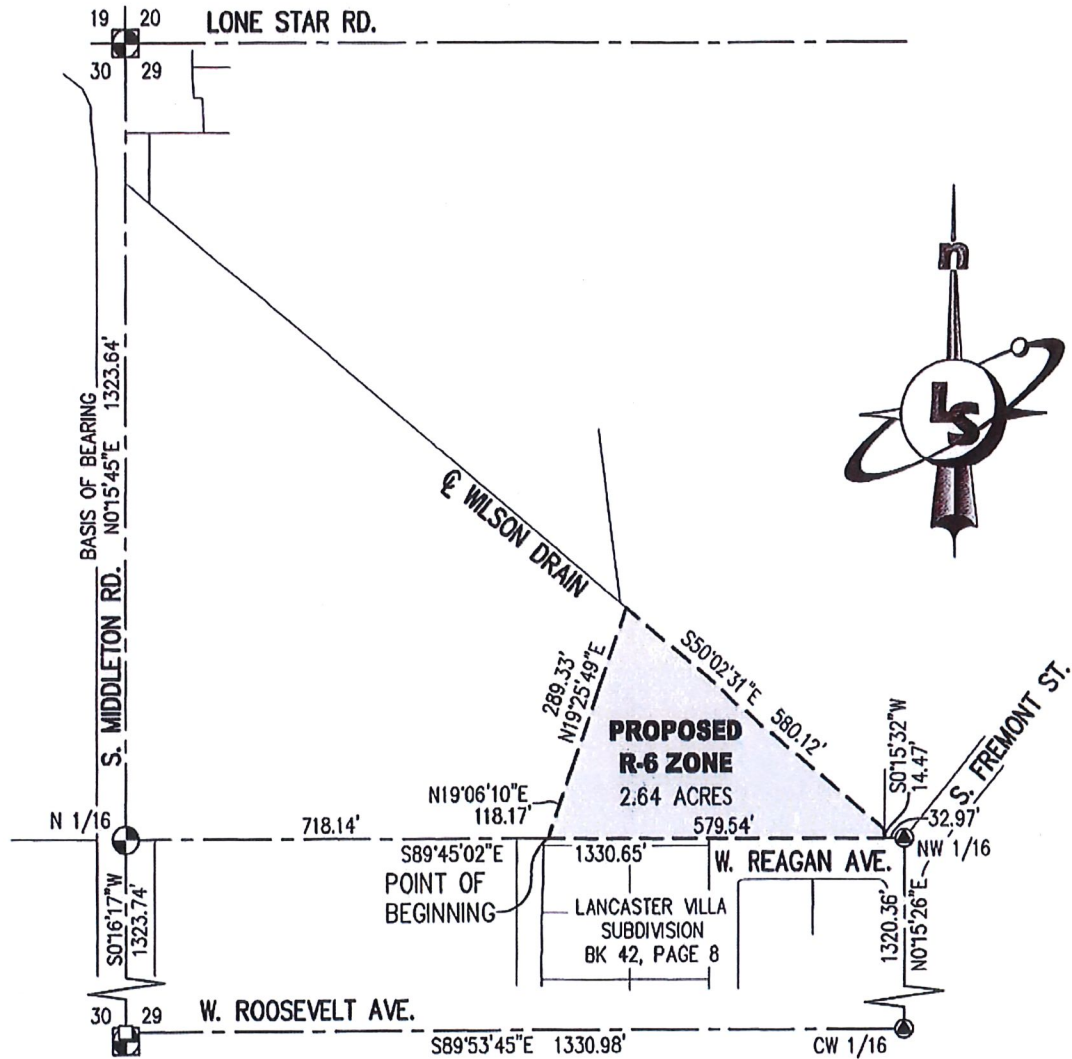
Clinton W. Hansen, PLS
Land Solutions, PC
April 24, 2023



PROPOSED CANYON COUNTY R-6 ZONE AREA

PROPOSED CLEARCREEK SUBDIVISION

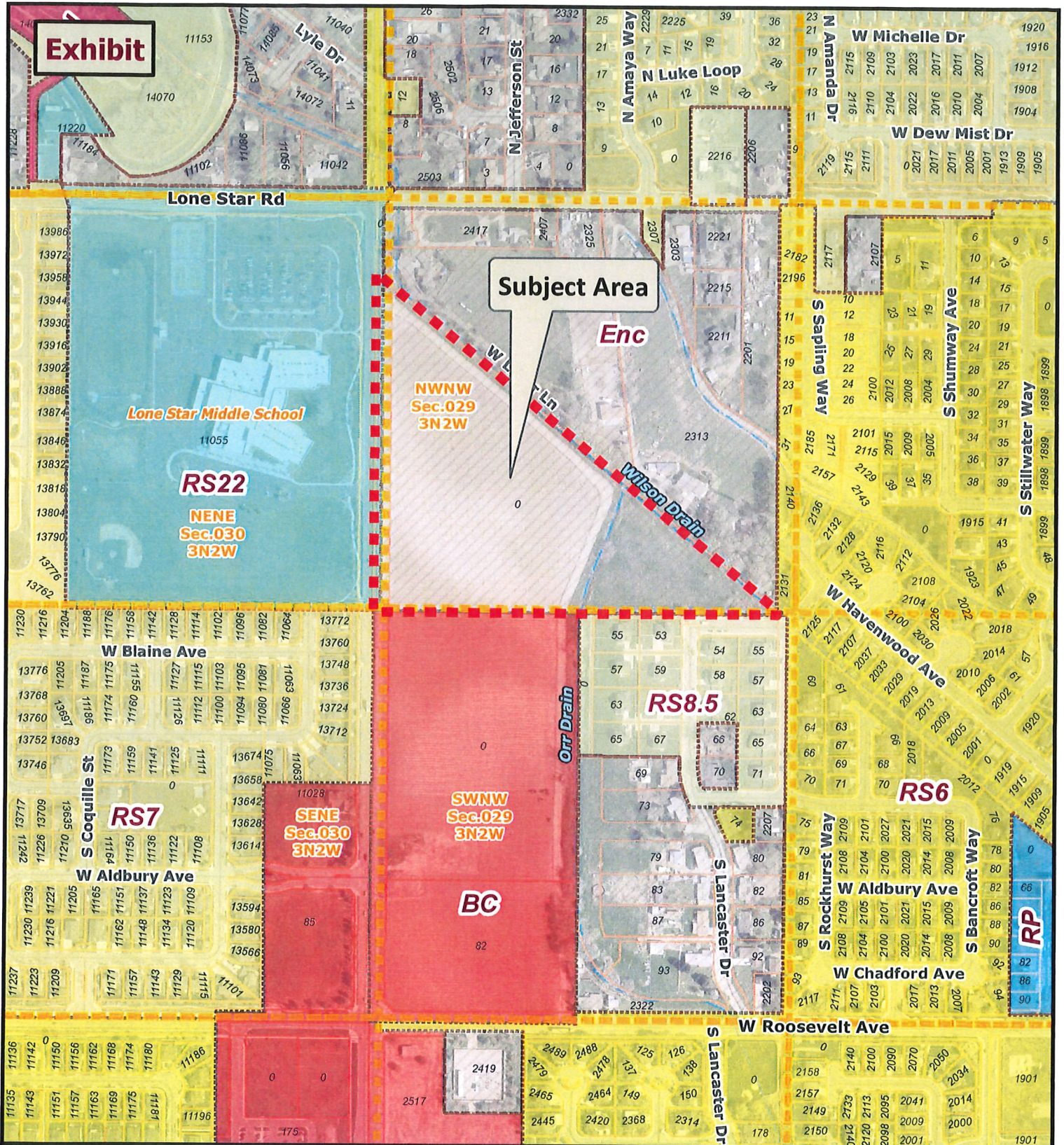
LOCATED IN THE NW 1/4 OF THE NW 1/4 OF SECTION 29, T.3 N., R.2 W., B.M.
CANYON COUNTY, IDAHO



LandSolutions
Land Surveying and Consulting

231 E. 5TH ST., STE. A
MERIDIAN, ID 83642
(208) 288-2040 (208) 288-2557 fax
www.landsolutions.biz

Exhibit



Subject Area

Enc

NWNW Sec.029 3N2W

RS22

NENE Sec.030 3N2W

RS8.5

SWNW Sec.029 3N2W

BC

RS6

RP



0 S Middleton Rd Annexation

Annexation & Zoning to RS 4 & RS 6 (Single Family Residential) for Clearcreek Subdivision

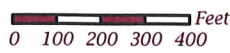
NAMPAProud

ANN-00282-2023

11/27/2023

For illustrative purposes only.

Visit Planning & Zoning at cityofnampa.us for more info.



| | | | |
|----------------|--------|-----------|----------|
| Subject Area | DV | RD_PUD | RS12 |
| County Parcels | Enc | RMH | RS12_PUD |
| PLSS | GB1 | RML | RS15 |
| AG | GB2 | RML_PUD | RS15_PUD |
| BC | IH | RP | RS18 |
| BC_PUD | IL | RP_PUD | RS18_PUD |
| BF | IL_PUD | RS6 | RS22 |
| BN | IL_RS | RS6_PUD | RS22_PUD |
| BN_PUD | IP | RS7 | U |
| DB | IP_RS | RS7_PUD | UnZoned |
| DH | RA | RS8.5 | |
| | RD | RS8.5_PUD | |

EXHIBIT B – MAPS/DEPICTION