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RICK HOGABOAM

CANYON COUNTY RECORDER

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ORDINANCE

CITY OF WILDER

(Space above reserved for recording)

**WILDER CITY ORDINANCE NO. 643
CITY OF WILDER, CANYON COUNTY, IDAHO
MUNICIPAL ANNEXATION AND ZONING DESIGNATION ORDINANCE**

**A MUNICIPAL ANNEXATION AND ZONING DESIGNATION ORDINANCE OF THE
CITY COUNCIL OF THE CITY OF WILDER;**

- **Making Certain Findings; and**
- **Annexing certain real property owned by Charles Douglas Gross, situated contiguous to the boundaries of the City of Wilder, Canyon County, Idaho; to wit Canyon County Assessor Parcel No. R37098011, an approximate 11.61-acre parcel; and**
- **Assigning Parcel No. R37098011 a CI (commercial/industrial) zoning designation upon annexation into the City of Wilder; and**
- **Amending the Zoning Map; and**
- **Directing the City Engineer and the City Clerk; and**
- **Providing an Effective Date.**

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF WILDER, IDAHO, as follows:**

Section 1: The City Council finds:

- 1.1** The City of Wilder, Idaho is a municipal corporation organized and operating under the laws of the state of Idaho and is authorized under the provisions of section 50-222, Idaho Code to annex lands into the City "which are reasonably necessary to assure the orderly development of Idaho's cities in order to allow efficient and economically viable provision of tax-supported and fee-supported municipal services, to enable the orderly development of private lands which benefit from the cost-effective availability of municipal services in urbanizing areas and to equitably allocate the costs of public services in management of development on the urban fringe."
- 1.2** The City of Wilder, Idaho is a municipal corporation organized and operating under the laws of the state of Idaho and is authorized under the provisions of section 67-6511, Idaho Code, to establish within its jurisdiction one or more zones or zoning districts where

appropriate which zoning districts are established in Wilder City Code § 9-4-2, and the official zoning map is adopted in Wilder City Code § 9-5-1; and

- 1.3 Charles Douglas Gross (“Applicant”) is the owner of certain real property which has been designated by the Canyon County Assessor’s office as Parcel No. R37098011, which address is presently designated as 0 Simplot Blvd., Wilder, ID 83676 (hereinafter the “Subject Real Property”) and is more particularly described as:

A parcel of land located in a portion of the North 1/2 of Section 23, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho. Being further described as follows:

BASIS OF BEARING

The South line of the Northwest 1/4 of Section 23, Township 4 North, Range 5 West, Boise Meridian, derived from found monuments and taken as North 89°39'16" East with the distance between monuments found to be 2662.20 feet.

BEGINNING at a point on the North Right of Way line of Idaho Highway 19 located in said Section 23, Township 4 North, Range 5 West, Boise Meridian from which the Center 1/4 of said Section bears South 87°57'08" East a distance of 771.48 feet;

Thence along Said North Right of Way line South 88°55'03" West, a distance of 560.17 feet;

Thence leaving said North Right of Way line North 00°02'23" East to a point on the Centerline of the Golden Gate Canal, a distance of 988.38 feet;

Thence along said centerline the following six (6) courses;

South 77°23'11" East, a distance of 51.55 feet;

From tangent which bears South 76°20'21" East along a curve to the Right with a radius of 220.00 feet, and having a central angle of 05°02'48" an arc length of 19.37 feet;

South 81°23'08" East a distance of 56.64 feet;

Along a curve to the Right, with a radius of 730.00 feet and a central angle of 18°15'31" an arc length of 232.63 feet with a chord bearing of South 72°15'23" East, and a chord distance of 231.65 feet;

South 63°07'38" East a distance of 184.85 feet;

Along a curve to the Left, with a radius of 480.00 feet and a central angle of 06°19'59" an arc length of 53.06 feet with a chord bearing of South 66°17'37" East, and a chord distance of 53.03 feet;

Thence leaving said Centerline South 00°00'03" West, a distance of 778.84 feet to the POINT OF BEGINNING.

TOGETHER WITH:

A parcel of land located in a portion of the North 1/2 of Section 23, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho. Being further described as follows:

BASIS OF BEARING

The South line of the Northwest 1/4 of Section 23, Township 4 North, Range 5 West, Boise Meridian, derived from found monuments and taken as North 89°39'16" East with the distance between monuments found to be 2662.20 feet.

BEGINNING at a point on the North Right of Way line of Idaho Highway 19 located in said Section 23, Township 4 North, Range 5 West, Boise Meridian from which the Center 1/4 of said Section bears South 87°57'08" East a distance of 771.48 feet;

Thence leaving said North Right of Way line North 00°00'03" East, a distance of 60.01 feet;

Thence North 88°55'03" East, a distance of 111.02 feet;

Thence South 00°00'02" West to a point on said North Right of Way line, a distance of 60.01 feet; Thence along said North Right of Way line South 88°55'03" West, a distance of 111.02 feet to the POINT OF BEGINNING.

- 1.4 Applicant is the owner of the Subject Real Property is evidenced by a warranty deed recorded as Canyon County Recorder's Instrument No. 2021-012291.
- 1.5 The proposed Annexation and Zoning Designation are consistent with the goals, policies, and objectives of the City Comprehensive Plan; and
- 1.6 The proposed zoning designation of CI (commercial/industrial) is consistent with the Future Land Use Map for the City; and
- 1.7 The proposed Annexation is a Category A annexation under Section 50-222(3)(a), Idaho Code; and
- 1.8 The Planning and Zoning Commission of the City, pursuant to public notice as required by Sections 50-222(5), 67-6509, & 67-6525, Idaho Code and Section 4-1-8 Wilder Municipal Code, held a public hearing on January 23rd, 2024, and made written findings (written findings approved on February 25th, 2024) where the Commission recommended the City Council and Mayor approve the annexation and zoning designation; and
- 1.9 The City Council of the City considered the recommendation of the Planning and Zoning Commission during its regular meeting held on the March 12, 2024, and determined to adopt the recommendations of the Planning and Zoning Commission and approve the annexation; and

- 1.10 On April 9, 2024, the City Council adopted findings of fact and conclusions of law that formally adopted the recommendations of the Planning and Zoning Commission and ordered the mayor execute this ordinance; and
- 1.11 It is necessary that the City Council adopt this Ordinance, as required by Sections 50-223 and 67-6511(2) Idaho Code, and Wilder Municipal Code § 4-1-8, to complete the process of implementing the decision of the Wilder City Council to Annex, and assign a Zoning Designation to, the Subject Real Property.

Section 2: Action

- 2.1 The above-described Subject Real Property is Annexed into the City of Wilder.
- 2.2 The Subject Real Property is assigned a Zoning Designation of CI (commercial/industrial).
- 2.3 The Zoning Map of the City of Wilder is hereby amended to include the Subject Real Property within City boundaries and assign the Subject Real Property an R-1 zoning designation.

Section 3: Directing the City Engineer and City Clerk

- 3.1 The City Engineer is directed to update the City boundaries on the City Zoning Map to include the Subject Real Property within the City and to depict the Subject Real Property on the Zoning Map of the City as a CI (commercial/industrial) zone in accordance with this Annexation and Zoning Designation Ordinance.
- 3.2 The City Clerk is directed to file this Ordinance in the official records of the City, publish notice of this ordinance (or summary) as required by Section 50-901, Idaho Code, and to provide a conformed copy to the City Engineer, Planning and Zoning Director, and to the applicant.
- 3.3 The City Clerk is directed pursuant to I.C. § 50-223 and Wilder Municipal Code 4-1-8 to file a certified copy of this ordinance with the Director of Canyon County Development Services, the Canyon County Assessor, the Canyon County Auditor, and the Idaho State Tax Commission, within ten (10) calendar days following the effective date of this adopted ordinance and deliver the legal description of the annexed real property and map to the Canyon County Assessor and Recorder and to the Idaho State Tax Commission within thirty (30) days of the effective date of this Ordinance in compliance with the provisions of I.C. § 63-215(1).

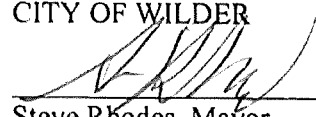
Section 4: Effective Date

- 4.1 This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law and at the discretion of the City Clerk. In lieu of publication

of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

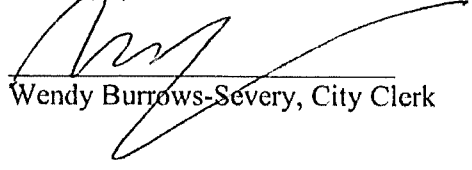
DATED this 9th day of April, 2024.

CITY OF WILDER

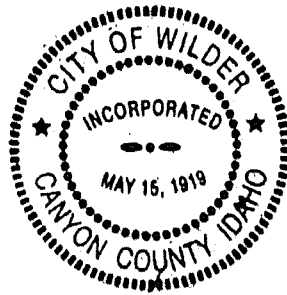


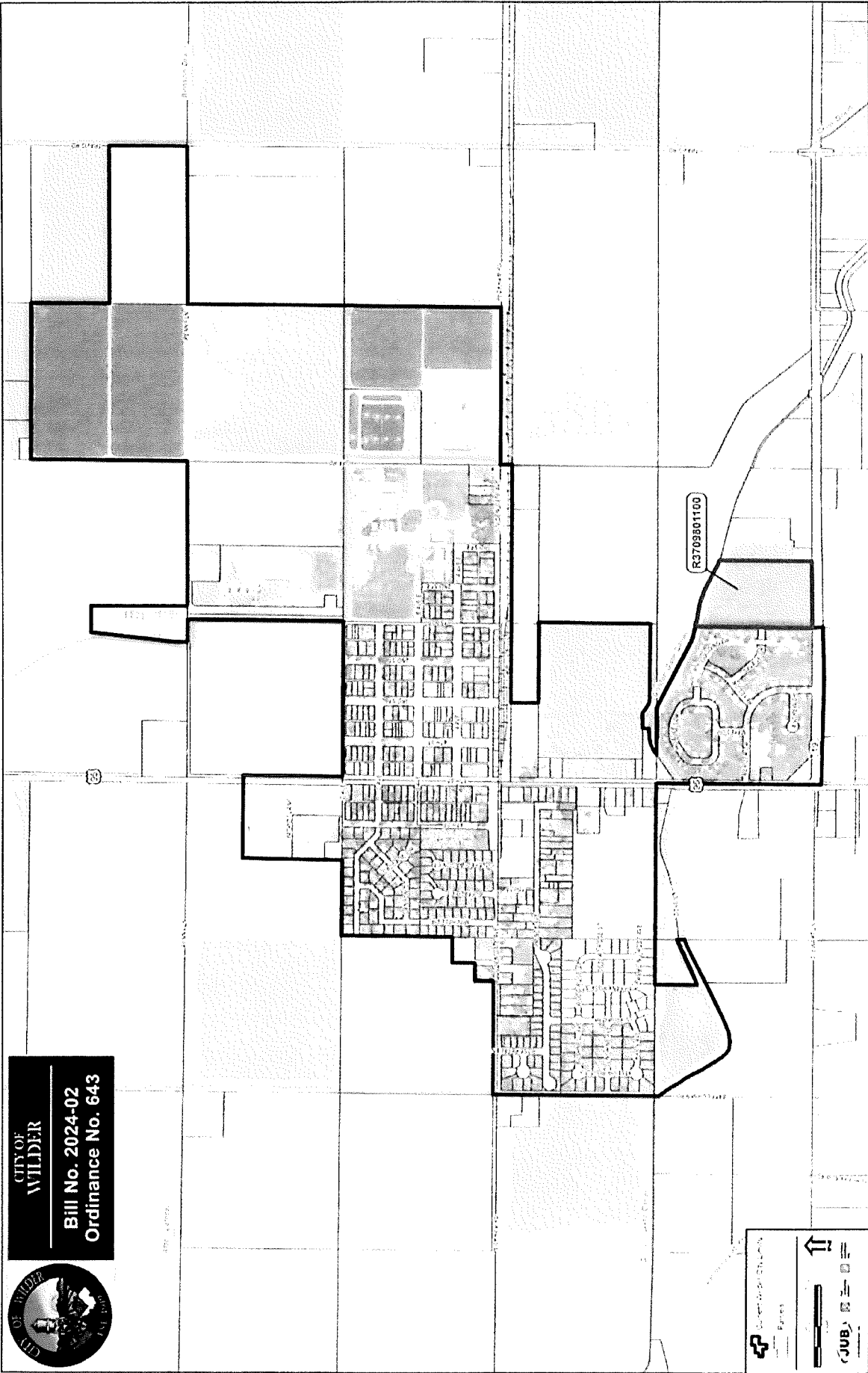
Steve Rhodes, Mayor

ATTEST:



Wendy Burrows-Severy, City Clerk





NOTICE AND PUBLISHED SUMMARY
WILDER CITY ORDINANCE NO. 643
CITY OF WILDER, CANYON COUNTY, IDAHO
MUNICIPAL ANNEXATION AND ZONING DESIGNATION ORDINANCE
(PURSUANT TO I.C. § 50-901(A))

Ordinance No. 643 was considered by the City Council of the City of Wilder, Canyon County, Idaho, and passed at its regularly scheduled Council Meeting on the 9th day of April, 2024. Said ordinance amended the City boundaries and city zoning map established pursuant to Title 9 of the Wilder City Code by:

- Annexing Canyon County Assessor Parcel No. R37098011, which is presently addressed as 0 Simplot Blvd., Wilder, Idaho into the City of Wilder boundaries. The annexed parcel is more particularly described as:

A parcel of land located in a portion of the North 1/2 of Section 23, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho. Being further described as follows:

BASIS OF BEARING

The South line of the Northwest 1/4 of Section 23, Township 4 North, Range 5 West, Boise Meridian, derived from found monuments and taken as North 89°39'16" East with the distance between monuments found to be 2662.20 feet.

BEGINNING at a point on the North Right of Way line of Idaho Highway 19 located in said Section 23, Township 4 North, Range 5 West, Boise Meridian from which the Center 1/4 of said Section bears South 87°57'08" East a distance of 771.48 feet;

Thence along Said North Right of Way line South 88°55'03" West, a distance of 560.17 feet;

Thence leaving said North Right of Way line North 00°02'23" East to a point on the Centerline of the Golden Gate Canal, a distance of 988.38 feet;

Thence along said centerline the following six (6) courses;

South 77°23'11" East, a distance of 51.55 feet;

From tangent which bears South 76°20'21" East along a curve to the Right with a radius of 220.00 feet, and having a central angle of 05°02'48" an arc length of 19.37 feet;

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South 63°07'38" East, a distance of 184.85 feet;

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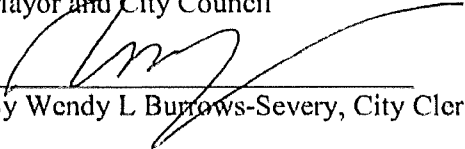
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Which is an approximate 11.61 acre parcel; and

- Designating the annexed parcel as an CI (commercial/industrial) zone.

Interested persons may view the full text of this ordinance, which is available for inspection at City Hall, City of Wilder, 219 3rd Street, Wilder, Idaho during business hours Monday through Friday from 9 a.m. to Noon and 1 p.m. to 5 p.m., excepting holidays.

City of Wilder
Mayor and City Council



By Wendy L Burrows-Severy, City Clerk

WHITE PETERSON

ATTORNEYS AT LAW

MARC J. BYBEE
MAREN ERICSON
WM. F. GIGRAY, III
MATTHEW A. JOHNSON
JACOB M. JONES
WILLIAM F. NICHOLS *
BRIAN T. O'BANNON *

WHITE, PETERSON, GIGRAY & NICHOLS, P.A.
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NAMPA, IDAHO 83687-7901
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FAX (208) 466-4405
EMAIL: mbybee@whitepeterson.com

PHILIP A. PETERSON
WILLIAM L. PUNKONEY
TERRENCE R. WHITE
OF COUNSEL
WILLIAM F. "BUD" YOST
OF COUNSEL

* Also admitted in OR

April 9, 2024

Wendy L Burrows-Severy, *City Clerk*
City of Wilder
P.O. Box 687
Wilder, ID 83676

Re: *Wilder City Ordinance No. 643 annexing and assigning a zoning designation to Canyon County Assessor's Parcel No. R37098011.*

Ms. Burrows-Severy,

As the Legal Advisor for the City of Wilder, please consider this my statement and opinion that the enclosed summary is true and complete and provides adequate notice of the contents of said Ordinance to the public.

Please proceed to publish the enclosed *Notice and Published Summary* and file this statement with the original ordinance in the ordinance book of the City of Wilder as required by Idaho Code Section 50-901A(3).

Sincerely,
WHITE PETERSON

Marc J. Bybee

Enclosure:

Notice and Published Summary for the above-referenced Ordinance.

LEGAL NOTICE

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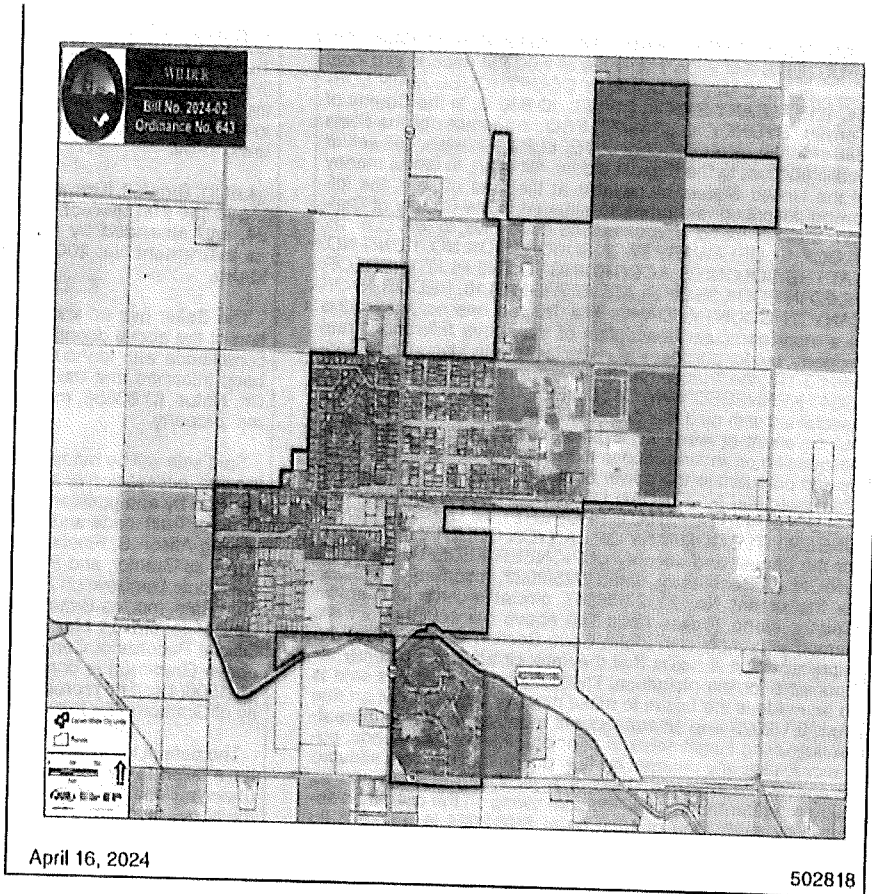
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- Which is an approximate 11.61 acre parcel; and
- Designating the annexed parcel as an CI (commercial/industrial) zone.

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City of Wilder
Mayor and City Council
By Wendy L. Burrows-Severy, City Clerk

Ord 643 Sum 2.082



REC'D APR 23 2024

CERTIFICATE OF RECORDING OFFICER

STATE OF IDAHO)
) ss.
CANYON COUNTY)

I, **WENDY L. BURROWS-SEVERY CMC**, City Clerk/Treasurer of the City of Wilder, Canyon County, Idaho do hereby certify that the foregoing is a full, true and correct copy of ordinance no. 643 as it appears on record in my office, and I further certify that said ordinance was approved by the Wilder City Council on the 9th day of April, 2024.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Wilder this 16th day of April, 2024.

WENDY L. BURROWS-SEVERY CMC
CITY CLERK/TREASURER

