

REC'D APR 11 2024

ORDINANCE NO. 528

NO. 633665
 AT THE REQUEST OF City of Potlatch
 DATE & HOUR 4/11/2024 12:28pm
 JULIE FRY
 LATAH COUNTY RECORDER
 FEE \$ 0.00 BY: [Signature]
 Dept.

AN ORDINANCE OF THE CITY OF POTLATCH, A MUNICIPAL CORPORATION OF THE STATE OF IDAHO, AMENDING THE LEGAL DESCRIPTION IN ORDINANCE NO. 527; PROVIDING FOR ANNEXATION OF PROPERTY DESCRIBED IN SECTION 1 OF THIS ORDINANCE INTO THE CITY OF POTLATCH; PROVIDING THAT PROPERTY DESCRIBED IN SECTION 1 BE ZONED SINGLE-FAMILY RESIDENTIAL; PROVIDING FOR THE AMENDMENT TO THE COMPREHENSIVE PLAN AND ZONING MAP TO REFLECT THIS CHANGE; PROVIDING FOR THIS ORDINANCE TO BE IN FULL FORCE AND EFFECT FROM AND AFTER ITS PASSAGE, APPROVAL AND PUBLICATION ACCORDING TO LAW;

WHEREAS the City Council deems it in the public interest that the real property described in Section 1 of this Ordinance, adjacent to the existing City boundaries, be annexed into the City; and,

WHEREAS a public hearing was held before the Potlatch Planning and Zoning Commission on February 6, 2024, regarding the annexation and zoning application from Elk River Enterprises, LLC, and it was determined that the zoning to be proposed for this property should be "Single-Family Residential" which would fit in with the general development of the City, and that such zoning would be in the best interest of the citizens of the City; and,

WHEREAS open testimony was held before the City Council on February 12, 2024, regarding the annexation and zoning application from Elk River Enterprises, LLC, and it was determined that the proposed annexation is provided for under existing law, that the proposed zoning is suitable and compatible with surrounding land uses, that said land uses would fit in with the general development of the City, and that such zoning would be in the best interest of the citizens of the City; and,

WHEREAS, legal description in Ordinance 527 did not include the right-of-way of Highway 6.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF POTLATCH AS FOLLOWS:

SECTION 1: That the following property be annexed into the corporate limits of the City of Potlatch, County of Latah, State of Idaho:

AMENDED LEGAL DISCRIPTION AS FOLLOWS:

Commencing at the northwest corner of the Northeast Quarter of the Southwest Quarter of said Section 6,
 Thence along the north line of said Northeast Quarter of the Southwest Quarter, S89°20'37"E, 1332.27 feet to the northeast corner thereof;
 Thence leaving said north line, S18°41'10"W, 1217.08 feet to a point on the north right-of-way of Highway 6, as shown on Idaho Transportation Department Right-of-Way Plans, Project A013(880), 29.61

feet left of centerline station 9+26.94, the southwest corner of a parcel of land described as Tract 3A, in Warranty Deed, Instrument #602712, Latah County Records and the **Point of Beginning**.

Thence along the south line of said parcel and of a parcel of land described as Tract 3B, in Warranty Deed, Instrument #602712, S65°39'37"E, 603.85 feet to the southeast corner of Tract 3B, the southwest corner of a parcel of land described as Tract 4A, in Warranty Deed, Instrument #598357, Latah County Records and a point on the south right-of-way line of Highway 6, 54.88 feet right of centerline station 15+20.50;

Thence along the east line of Tract 3B, the west line of Tract 4A and said south right-of-way line, N00°27'49"W, 14.93 feet to the southeast corner of Tract 3A and point 40.00 feet right of centerline station 15+19.31;

Thence leaving said south right-of-way line, along the east line of Tract 3A and the west line of Tract 4A, N00°27'49"W, 80.30 feet to the northwest corner of Tract 4A and a point on the north right-of-way line of Highway 6, 39.94 feet left of centerline station 15+12.50;

Thence leaving said east line, along said north right-of-way line and the north line of Tract 4A the following two courses:

326.143 feet along a non-tangent curve to the left, said curve having a Delta = 14°29'09", Radius = 1290.00 feet, Chord = 325.27 feet and a Chord Bearing = N87°22'27"E to a point 40.00 feet left of centerline station 18+48.67;

Thence N67°27'30"E, 365.75 feet to a point 68.72 feet left of centerline station 22+30.16;

Thence leaving said common north line, S14°46'20"E, 261.43 feet to the northwest corner of a parcel of land described in Re-recorded Partition Deed, Instrument #576404, Latah County Records and a point on the south right-of-way line of Highway 6, 188.33 feet right of centerline station, 21+84.37;

Thence along the west boundary of said parcel the following two courses:

S09°59'21"W, 181.96 feet;

Thence S31°46'04"W, 575.18 feet;

Thence leaving said west boundary, N65°23'34"W, 886.83 feet;

Thence N85°03'56"W, 185.93 feet to the east boundary line of the parcel described in Warranty Deed, Instrument #600350, Latah County Records;

Thence along the east line thereof, N04°47'26"E, 466.90 feet to the northeast corner of said parcel, and a point on the south right-of-way line of Highway 6, 36.81 feet right of centerline station 9+47.00;

Thence N06°42'37"E, 69.47 feet to the **Point of Beginning**.

Parcel of land contains, 17.14 acres, more or less.

SECTION 2: That said properties are hereby zoned single-family residential and shall be so designated on the City of Potlatch Zoning Map.

SECTION 3: That said properties, as annexed, shall be and are hereby designated as single-family residential on the Comprehensive Plan and shall be so designated on the Comprehensive Plan Map.

SECTION 4: That this Ordinance shall be in full force and effect upon its passage, approval, and publication according to law.

PASSED by the City Council with a roll call vote and APPROVED by the Mayor this 25th day of March 2024.

CITY OF POTLATCH

BY David G. Brown
-s- DAVID BROWN, MAYOR

ATTEST:

(seal)

Harmony Nowack
-s- HARMONY NOWACK, CITY CLERK-TREASURER
Published in the Moscow Pullman Daily News on _____



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633665

Section 6, T41N, R4W, BM

BLM ROCK CONSULTING, INC.

1010 N. 2nd St., Suite 200, Boise, ID 83724
 (208) 333-3333
 www.blmrock.com

RECORDING

76364475
 PROPERTY

Exhibit Drawing For:
 Elk River Enterprises, LLC
 Latah County, Idaho

Drafted by:	SW
Checked by:	MD
Title Name:	4397 Eshwag Layout
Plot Style:	Default.cab
Project:	4397-11-21
Date:	3/21/24

SURVEY REFERENCES:

- Record of Survey Instrument #37783, Nelson to Zurich
- City of Polkitch Ordinance #440, Instrument #49455
- Record of Survey Instrument #506207, by J. Dunn, PLS #10182
- Warranty Deed, Instrument #571081, Haddock to Smith, Smith & Warrum, PLS #10182
- Re-Recorded Partition Deed, Instrument #506207, Smith, Smith & Warrum, PLS #10182
- Warranty Deed, Instrument #565557, Zurich to Idaho
- Warranty Deed, Instrument #602712, Smith to ID
- Warranty Deed, Instrument #613111, Case to Elk River Enterprises, LLC
- Warranty Deed, Instrument #632256, Polkitch River Coal Co. to Railroad, LLC to Baji RR, LLC #630877, by M. Dablin, PLS #17534
- ID Right-of-Way Plans, Project #A013(860)
- Record of Survey, Instrument #632248, by M. Dablin, PLS #17534
- Water Line Statement #503465

Surveyor's Certificate

I, Michael E. Dablin, PLS #17534, State of Idaho, do hereby certify that I am a duly Licensed Professional Surveyor and that the foregoing under my supervision in accordance with the laws of the State of Idaho and the request of Kurt McColin in January 2024.

Basis of Bearings

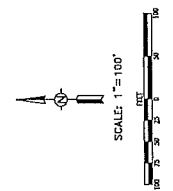
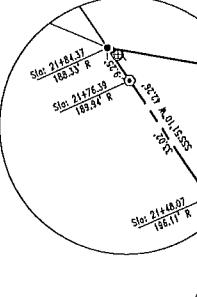
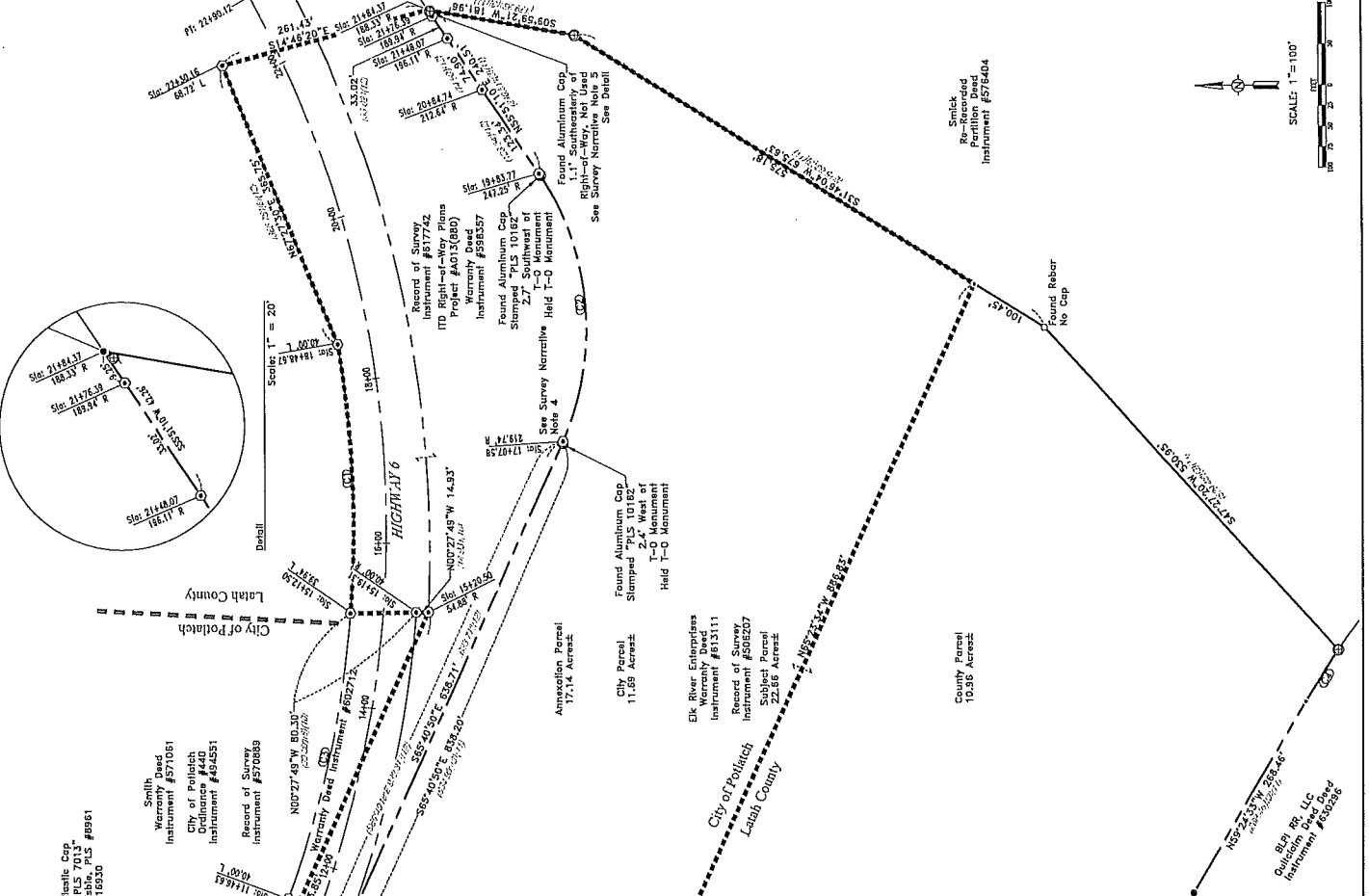
The Basis of Bearings for this survey is identical to the Idaho Central Survey of the Northwest corner of the Northwest Quarter of the Southeast Quarter of Section 6, said bearing being S89°20'33"E

Surveyor Narrative

The purpose of this survey was to locate monument and map the boundaries of the parcels as shown on the plat. This was done by using the monument found in the northeast corner of this parcel, into the City of Polkitch, per Ordinance #440, West Quarter of Section 6 to establish the Basis of Bearings and the primary boundary centerline. The parcel of land described in Warranty Deed Instrument #613111 was related to project basis of bearings monument #613111.

- Highway 6 was located from Right-of-Way Plans, Project #A013(860). Record of Survey, Instrument #17742 and found 17-08-43. ID Right-of-Way Plans, Project #A013(860) show it as 17-07-58 and found monument #613111.
- The aluminum cap near the northeast corner of this parcel falls on the right-of-way, per Record of Survey, Instrument #60207 and Warranty Deed Instrument #613111 was used to establish said northeast corner.
- The monument cap set at the northwest corner of the parcel of land described in Warranty Deed Instrument #49455 was not found and it was assumed to have been destroyed during road work. PLS #49455 during Record of Survey Instrument #506207 was not found and it was assumed to have been destroyed during road work. Its position was calculated from the distance from the Dunn cap set east end of the highway tangent near the T-O cap marking on station 17+07.58, 2197.4 feet Right. As this position was not on the survey right-of-way boundary, the monument was located through the calculated position.
- This survey was conducted without a title search. It does not show or indicate any recorded or unrecorded encumbrances, recorded or unrecorded that may affect this property.

- Legend**
- Found Monument as Described
 - Set 5/8" Diameter Rebar w/ Aluminum Cap Stamped PLS 10182, Instrument #506207, Stationing as Shown & T-O Engineers PLS #6817
 - Found 5/8" Diameter Rebar w/ Aluminum Cap Stamped PLS 10182
 - Found 5/8" Diameter Rebar, as Described
 - Calculated Position
 - Record Date - See Survey References
 - Subject Parcel Boundary Line
 - Polkitch City Limits Prior to Ordinance #440
 - Proposed Annexation
 - Section/Section Subdivision Line
 - Centerline
 - Right-of-Way
 - Easement
 - Survey Tie Line



Record of Survey Instrument #630977

Found Rebar w/ Plastic Cap. Record by S. Frabill, PLS #8961
 CPF Instrument #616030

Smith Warranty Deed Instrument #571081
 City of Polkitch Ordinance #440
 Instrument #49455

Record of Survey Instrument #570889

20' Wide Water Line Easement Instrument #633435

Collector Deed Instrument #600350

Record of Survey Instrument #398961

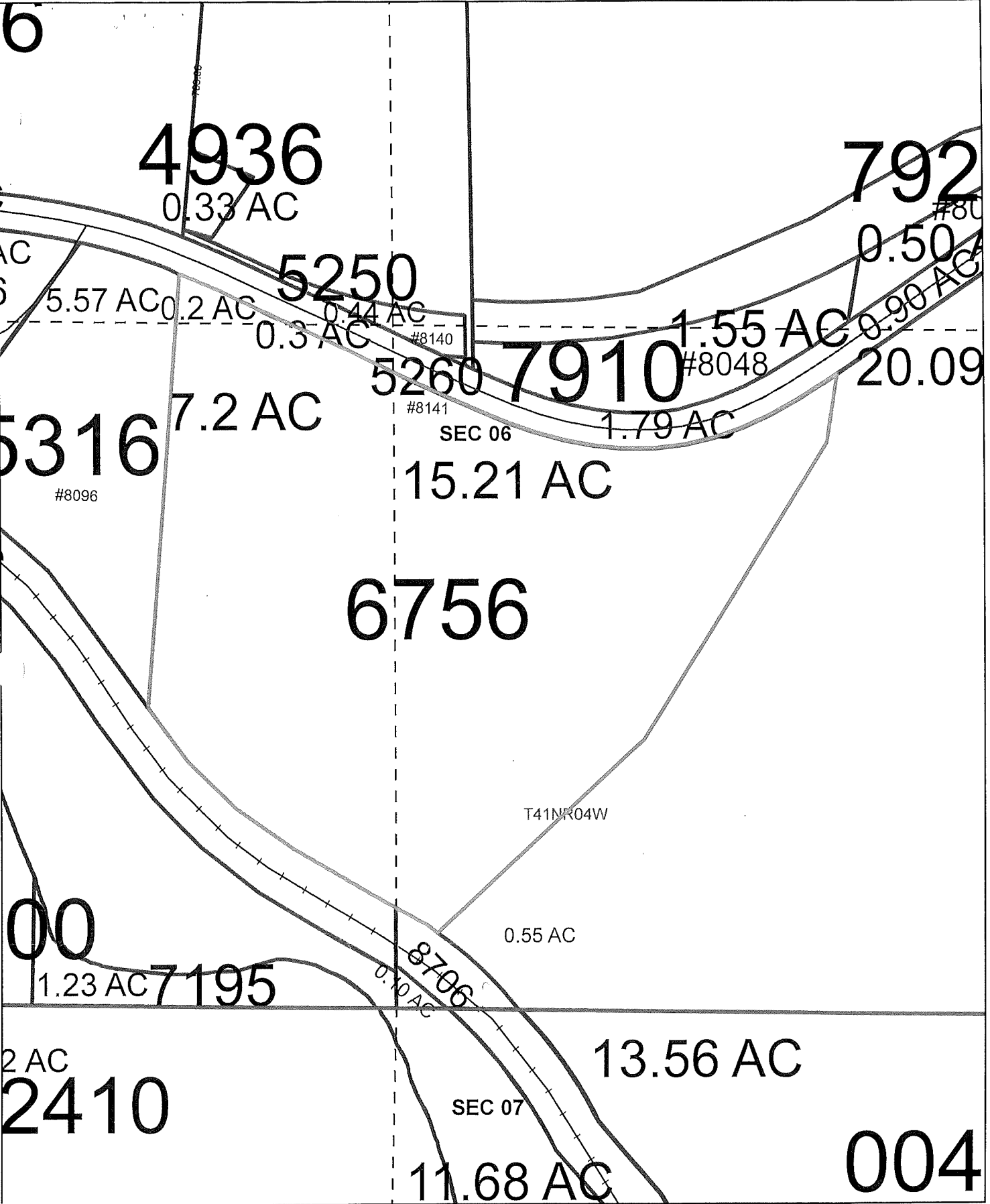
Record of Survey Instrument #632448

Found Brass Cap Stamped "1758" Warranty Instrument #245914

Found Rebar w/ Plastic Cap. Record by S. Frabill, PLS #8961
 CPF Instrument #616030

Curve	Length	Bella	Radius	Chord	Chd Bng
C1	326.14'	142°50'09"	1290.00'	325.27'	N87°22'27"E
C2	339.81'	98°28'00"	333.00'	329.25'	N85°05'10"E
C3	354.77'	15°45'26"	1290.00'	353.65'	S77°30'14"E
C4	74.22'	4°09'23"	1023.18'	74.21'	N57°19'51"W
C5	347.15'	124°42'58"	604.76'	344.46'	M7°02'05"W

BY: [Signature]

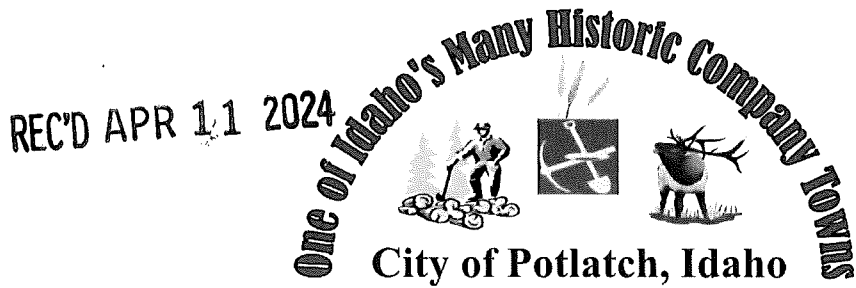


1 inch = 250 feet



This map is provided by Latah County Assessor. Due to the variability of sources used, Latah County makes no claims or warranties regarding the data contained herein

Cartographer: Natalie Udy



April 4, 2024

Idaho State Tax Commission
Tyler Rohr
PO Box 36
Boise, ID 83722-0320

Dear Tyler Rohr,

The City of Potlatch is requesting the enclosed recorded annexation Ordinance No. 528 be reviewed and approved by the State Tax Commission.

Please contact me if you have any questions. Thank you.

Sincerely,

Harmony Nowack
Clerk-Treasurer
City of Potlatch
195 6th Street
PO Box 525
Potlatch, ID 83855
cityhall@cityofpotlatch.org
208-875-0708

