

**CITY OF PAYETTE, IDAHO  
Resolution 2006-06**

**A RESOLUTION AUTHORIZING THE MAYOR TO ACQUIRE,  
IN THE BEST INTERESTS OF THE COMMUNITY, A PORTION OF  
CERTAIN REAL PROPERTY FROM WAYNE UEHLIN**

WHEREAS, through the development of Uehlin's 3<sup>rd</sup> Subdivision, it was determined that it is necessary for the City to have emergency access to properties located in the back of the subdivision; and,

WHEREAS, Mr. Uehlin has designed the Subdivision to provide for emergency access with entrance through his personal unplatted land; and,

WHEREAS, said property is described as that certain parcel of real property situated in the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) of Section 34, Township 9 North, Range 5 West, Boise Meridian, City of Payette, Idaho, and is more particularly described within the warranty deed; and,

WHEREAS, said land is adjacent to City water well #15, and will provide sufficient emergency access to Uehlin's 3<sup>rd</sup> Subdivision as well as permanent access/easement to the City well; and,

WHEREAS, Mr. Uehlin has agreed to convey this parcel of land to the City at no cost; and,

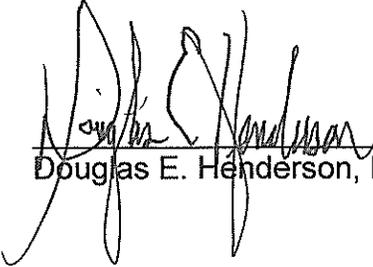
WHEREAS, the property is to be conveyed by a good and sufficient Statutory Warranty Deed, free and clear of all liens and encumbrances except easements and covenants of record, which are acceptable to the City of Payette

WHEREAS, an amended plat cannot be filed as there is not currently an existing plat for the designated property to amend.

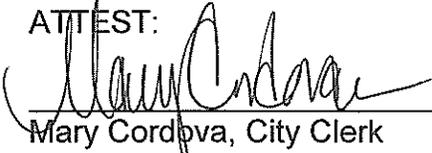
NOW, THEREFORE, BE IT RESOLVED, that the Payette City Council hereby authorizes the Mayor to acquire the real property described above for the terms herein above mentioned and create a new parcel of land to be recorded at the office of the Payette Council Recorder.

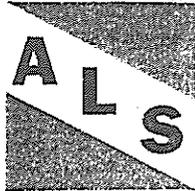
APPROVED and SIGNED this 5<sup>th</sup> day of July, 2006.

CITY OF PAYETTE, IDAHO

  
\_\_\_\_\_  
Douglas E. Henderson, Mayor

ATTEST:

  
\_\_\_\_\_  
Mary Cordova, City Clerk



*Unlimited Boundaries, Inc. dba ALS*  
**Land Surveying & Civil Engineering**

1103 W. Main St.  
Middleton, Idaho 83644  
208-585-5858 • 208-585-9001 Fax

**TO BE DEEDED TO THE  
CITY OF PAYETTE**

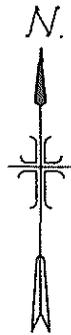
All of that certain parcel of real property situate in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 34, Township 9 North, Range 5 West, Boise Meridian, City of Payette, Idaho, being more particularly described as follows:

BEGINNING at the North One-Sixteenth corner of Sections 34 and 35,  
THENCE; along the southerly line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N89°43'00"W, 535.58 feet,  
to the southeast corner of that certain parcel deeded to Don Schoen under  
Warranty Deed recorded in Book 45 of Deeds at Page 600,  
THENCE; along the easterly line of said Schoen property, N00°06'00"E, 125.00  
feet, to the northeast corner of said Schoen property,  
THENCE; along the northerly line of said Schoen property, N89°43'00"W,  
150.00 feet, to the northwest corner of said Schoen property, also being on  
the easterly line of Uehlin's 2<sup>nd</sup> Addition,  
THENCE; along said easterly line N00°06'00"E, 10.00 feet, to the northeast  
corner of Uehlin's 2<sup>nd</sup> Addition, also being on the southerly line of  
Uehlin's 3<sup>rd</sup> Addition,  
THENCE; along said southerly line, S89°43'00"E, 173.52 feet, to the southeast  
corner of Uehlin's 3<sup>rd</sup> Addition,  
THENCE; along the easterly line of Uehlin's 3<sup>rd</sup> Addition, N01°46'00"E, 34.98  
feet, to the northerly line of a sanitary sewer easement as described in  
Instrument Number 316064,  
THENCE; along said easement northerly line, S89°43'00"E, 29.24 feet,  
THENCE, S44°43'00"E, 193.90 feet,  
THENCE, S89°15'15"E, 345.15 feet, to the easterly line of said Section 34,  
THENCE; along said easterly line, S00°06'00"W, 30.09 feet, to the Point of  
Beginning.

EXCEPTING THEREFROM: All of that certain parcel of real property conveyed to the City of Payette in Warranty Deed Instrument Number 172566, Payette County Records.

The above-described parcel of real property contains 34,526 square feet (0.793 acres), more or less.





SCALE: 1"=100'

LEGEND

Boundary Line

Section Line

Area Quiltclaimed to the City of Payette

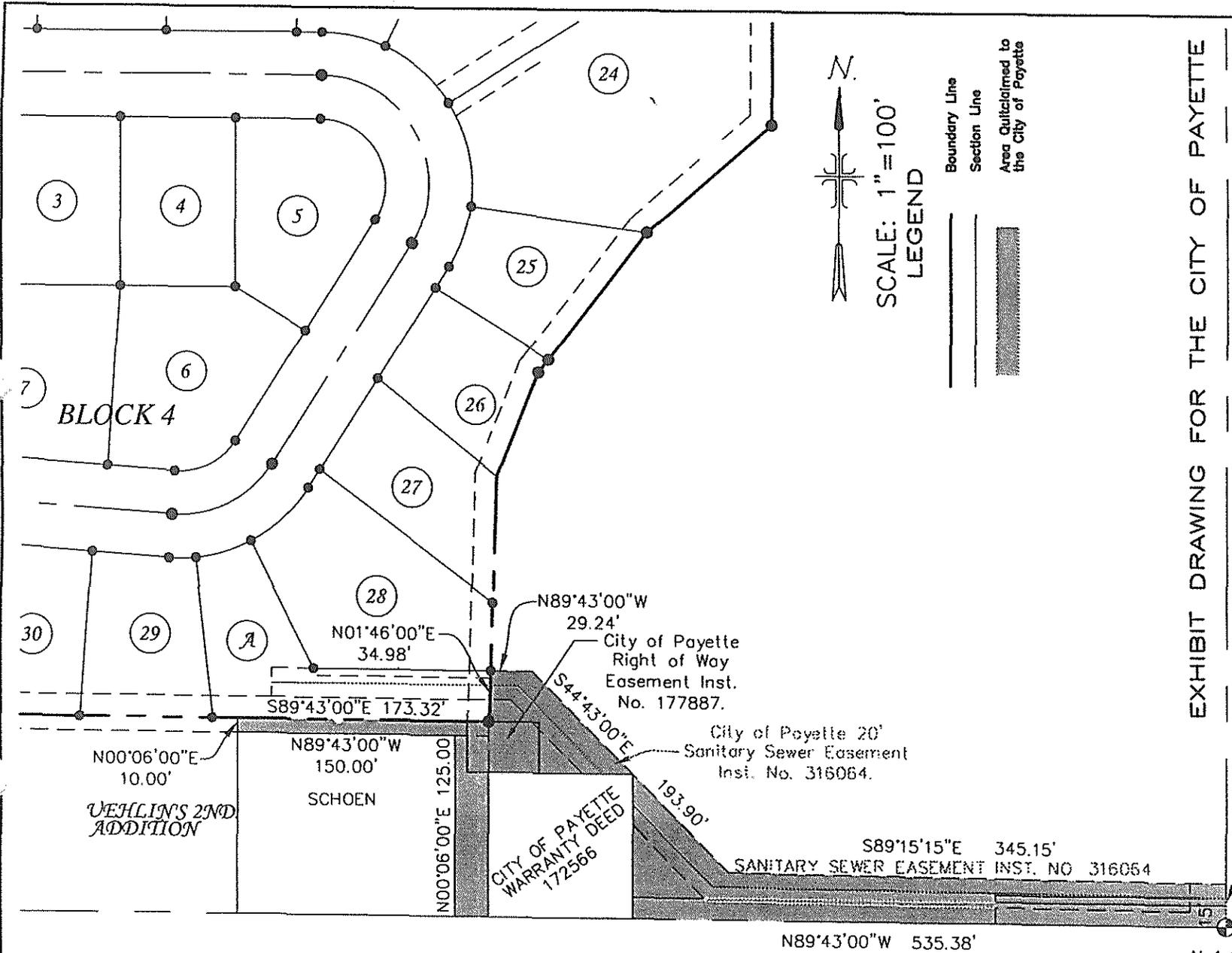
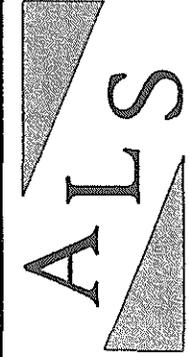


EXHIBIT DRAWING FOR THE CITY OF PAYETTE

DATE: MAY 19, 2006

ACAD DWG. FILE: 8667-03



ASSOCIATED LAND SURVEYORS  
*Surveyors • Planners*  
1103 West Main Street  
Middleton, Idaho  
208-585-5858

VEHLIN'S 2ND ADDITION

SCHOEN

CITY OF PAYETTE WARRANTY DEED 172566

SANITARY SEWER EASEMENT INST. NO 316054

N 1/16  
SEC. 34 | 35  
T.9N., R.5W., B.M.

N00°06'00"E  
10.00'

N89°43'00"W  
150.00'

N00°06'00"E 125.00'

N01°46'00"E  
34.98'

N89°43'00"W  
29.24'

City of Payette  
Right of Way  
Easement Inst.  
No. 177887.

S89°43'00"E 173.32'

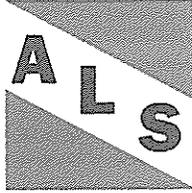
S44°43'00"E  
193.90'

City of Payette 20'  
Sanitary Sewer Easement  
Inst. No. 316064.

S89°15'15"E 345.15'

S00°06'00"W  
30.09'

N89°43'00"W 535.38'



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Ms. Mary Cordova  
City of Payette  
700 Center Ave.  
Payette, ID 83661

June 13, 2006

Re: Replat of Blocks 4 & 5, Uehlin's 3<sup>rd</sup>. Addition

Dear Ms. Cordova:

Enclosed please find a legal description and exhibit for the area to be deeded to the City of Payette by Wayne Uehlin. I believe it reflects the discussion we had with Doug Argo and will clean up some of the problems in that area. I will be willing to offer any further assistance, in this matter, if needed. Please contact me if you have any questions.

Sincerely;

A handwritten signature in black ink, appearing to read 'Walter L. Neitz'. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Walter L. Neitz P.L.S.

Cc: Wayne Uehlin



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Middleton, Idaho 83644  
208-585-5858 • 208-585-9001 Fax

## QUITCLAIM TO CITY OF PAYETTE

All of that certain parcel of real property situate in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$ ) of Section 34, Township 9 North, Range 5 West, Boise Meridian, City of Payette, Idaho, being more particularly described as follows:

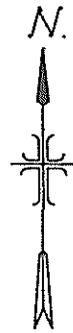
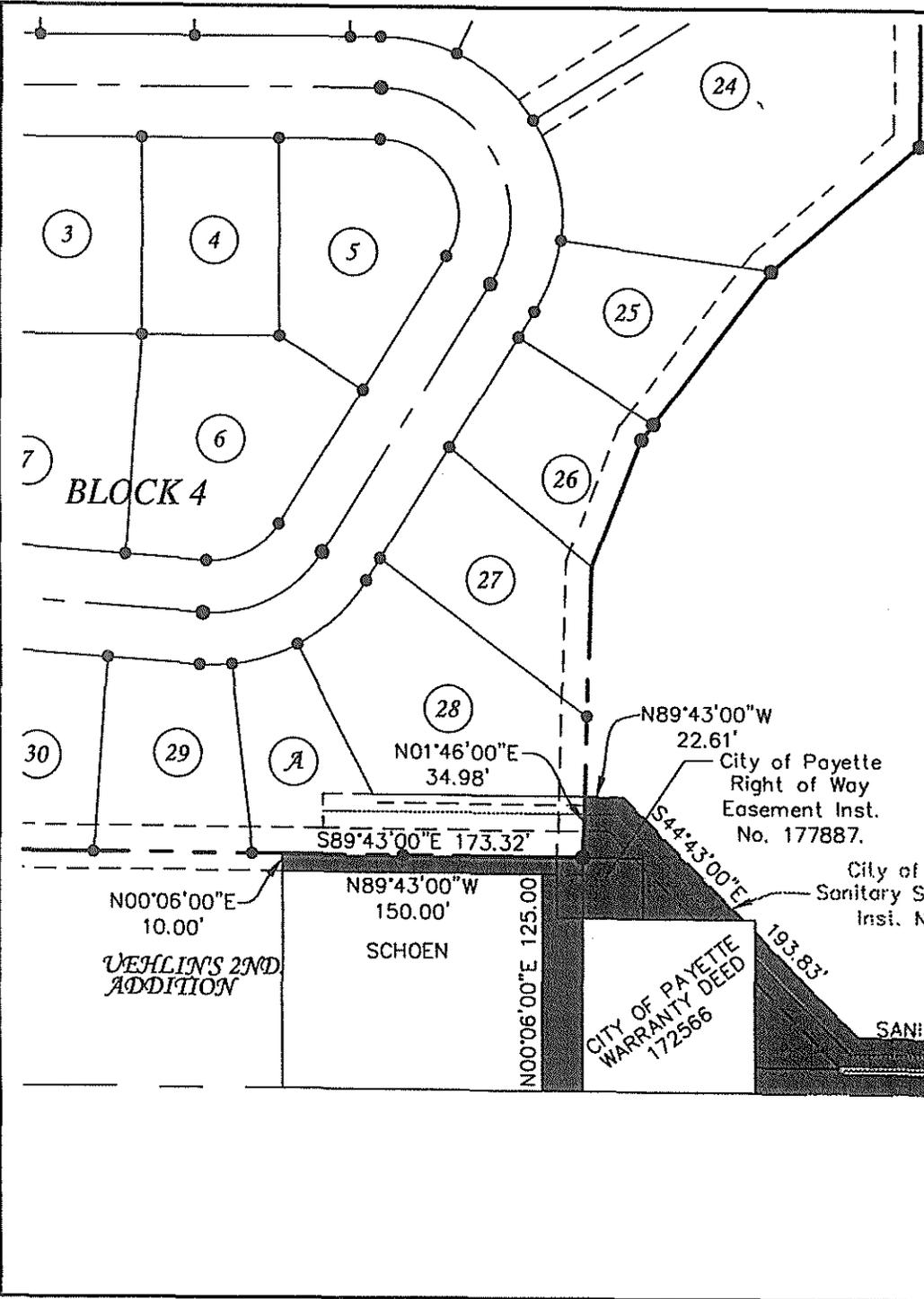
BEGINNING at the North One-Sixteenth corner of Sections 34 and 35,  
THENCE; along the southerly line of said NE $\frac{1}{4}$ NE $\frac{1}{4}$ , N89°43'00"W, 535.58 feet,  
to the southeast corner of that certain parcel deeded to Don Schoen under  
Warranty Deed recorded in Book 45 of Deeds at Page 600,  
THENCE; along the easterly line of said Schoen property, N00°06'00"E, 125.00  
feet, to the northeast corner of said Schoen property,  
THENCE; along the northerly line of said Schoen property, N89°43'00"W,  
150.00 feet, to the northwest corner of said Schoen property, also being on  
the easterly line of Uehlin's 2<sup>nd</sup> Addition,  
THENCE; along said easterly line N00°06'00"E, 10.00 feet, to the northeast  
corner of Uehlin's 2<sup>nd</sup> Addition, also being on the southerly line of  
Uehlin's 3<sup>rd</sup> Addition,  
THENCE; along said southerly line, S89°43'00"E, 173.32 feet, to the southeast  
corner of Uehlin's 3<sup>rd</sup> Addition,  
THENCE; along the easterly line of Uehlin's 3<sup>rd</sup> Addition, N01°46'00"E, 34.98  
feet, to the northerly line of a sanitary sewer easement as described in  
Instrument Number 316064,  
THENCE; along said easement northerly line the following courses and distances:  
(a) S89°43'00"E, 22.61 feet,  
(b) S44°43'00"E, 193.80 feet,  
(c) S89°15'15"E, 352.05 feet, to the easterly line of said Section 34,  
THENCE; along said easterly line, S00°06'00"W, 30.09 feet, to the Point of  
Beginning.

EXCEPTING THEREFROM: All of that certain parcel of real property conveyed to the City of Payette in Warranty Deed Instrument Number 172566, Payette County Records.

The above-described parcel of real property contains 23,597 square feet (0.542 acres), more or less.

*Not already platfiled  
prior to and  
not creating  
new lots*





SCALE: 1"=100'

LEGEND

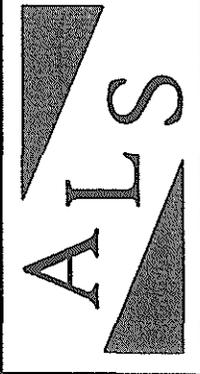
- Boundary Line
- Section Line
- Area Quiltclaimed to the City of Payette



EXHIBIT DRAWING FOR THE CITY OF PAYETTE

DATE: MAY 19, 2006

ACAD DWG. FILE: 8667-03



ASSOCIATED LAND SURVEYORS  
 Surveyors • Planners  
 1103 West Main Street  
 Middleton, Idaho  
 208-585-5858

S00°06'00"W 30.09'

N89°43'00"W 535.38'

172766

VEHLIN'S 2ND ADDITION

SCHOEN

CITY OF PAYETTE WARRANTY DEED 172566

City of Payette 20' Sanitary Sewer Easement Inst. No. 316064.

City of Payette Right of Way Easement Inst. No. 177887.

SANITARY SEWER EASEMENT INST. NO. 316064

B. The regulations codified in this Title shall not apply to any of the following:

1. A readjustment of lot lines as shown on a recorded plat which does not reduce the area, frontage, width or depth of each building site below the minimum prescribed by any City ordinance or any covenant pertaining to said plat nor create any new lots;

An amended plat that conforms to Idaho Code Title 55, Chapter 19 shall be required for any readjustment of lot lines. Such Record of Survey shall be filed both with the Payette County Recorder and the City of Payette. The following shall be included on the amended plat: Certificate of Owners and Acknowledgment, Certificate of Surveyor, Certificate of City Engineer and Certificate of the Payette County Recorder. The amended plat shall also contain the original lot line(s), the new lot lines, the square footage of the adjusted lots, correct street names, all existing building(s) to be delineated and dimensioned, a note giving the zone standard in effect for the area or as specifically approved. The readjustment of lot line(s) shall not reduce the building site below the minimum prescribed by any City ordinance or as specifically approved, nor violate setback requirements. The plat shall so contain all existing easements of record. Accompanying the plat shall be a new property description of each adjusted lot. New property pins shall be set for each adjusted lot. The City Engineer shall verify compliance with this Section prior to certification. A Record of Survey is not acceptable to establish or adjust lot lines.

2. A division of land into parcels of five (5) acres or more designated to be used solely for agricultural purposes, and which does not involve any new street dedication other than dedications widening existing streets;

3. An allocation of land in the settlement of an estate of a decedent or a court decree for the distribution of property thereunder. Provided however, that any development of any lands divided as a result of the settlement of an estate of a decedent or a court decree for the distribution of property shall conform to all requirements of this Code.

4. The exceptions contained in subsections B1, B2 and B3 of this Section are from the review and approval requirements of the Code only. Plats must still be prepared in accordance with these regulations and filed with the County Recorder. A copy of any plat, amended plat or correction plat must also be provided to the City Engineer, City Clerk. (Ord. 1219 § 1, 2002; Ord. 1071, §§ 4-6, 1994; Prior Code § 11-15-3)

## Chapter 16.08

### DEFINITIONS

#### Sections:

- 16.08.010 Generally
- 16.08.020 Alley
- 16.08.025 City Engineer
- 16.08.030 Commission