

ORDINANCE NO. 1281

AN ORDINANCE FOR THE ANNEXATION OF PROPERTY GENERALLY LOCATED NORTH OF 7th AVENUE NORTH, WEST OF US HIGHWAY 95, WHICH PROPERTY IS MORE PARTICULARLY DESCRIBED IN EXHIBITS "A" AND "B", ALL SITUATED IN PAYETTE COUNTY, IDAHO, AND ADJACENT AND CONTIGUOUS TO THE COPROPRATE CITY LIMITS; ESTABLISHING AND DETERMINING THE LAND USE CLASSIFICATION OF SAID LAND AS B-RESIDENTIAL; DESIGNATING THAT PROPERTY DESCRIBED IN 'EXHIBIT A' AS A CATEGORY "A" ANNEXATION; MAKING CERTAIN FINDINGS IN THE OFFICIAL MINUTES OF THE CITY CLERK; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE PAYETTE COUNTY ASSESSOR, THE PAYETTE COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION BY SUMMARY.

WHEREAS, the City of Payette hereby annexes pursuant to Idaho Code § 50-222; and,

WHEREAS, the City of Payette hereby zones pursuant to Idaho Code § 67-6525; and,

WHEREAS, the Payette City Council has adopted findings in support of the annexation and re-zone; and,

WHEREAS, the City of Payette has annexed under Category A of the Idaho Code, wherein the subject lands contain less than one hundred (100) separate private ownerships and platted lots of record and all such landowners have consented to annexation, and all lands to be annexed are contiguous or adjacent to the City and lie within the area of impact; and,

WHEREAS, the Payette Planning & Zoning Commission, pursuant to public notice, held a public hearing on May 24, 2007, and recommended to the Mayor and Council that the proposed annexation be approved as set forth in the City's annexation plan and said lands be zoned B-Residential; and,

WHEREAS, the Payette City Council, pursuant to public notice, held a public hearing, on June 2, 2007, on the proposed annexation and zoning for the property described

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in Section One below, as required by Idaho Code § 50-222 and Idaho Code § 67-6525.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PAYETTE, IDAHO:

Section 1. The lands and territory situated in Payette County, Idaho, adjacent and contiguous to the City of Payette, Idaho, particularly described in "Exhibit A" which is attached hereto, are incorporated hereat as if set out in full verbatim, are annexed and incorporated into the territorial limits of the City of Payette, Idaho.

Section 2. From and after the effective date of this ordinance, all property included within the boundaries and territory described in Section 1 shall be subject to all the statutes pertaining to the City of Payette and all ordinances, resolutions, police regulations, taxation and other powers of the City of Payette. All persons and property within the territory so annexed shall be and are entitled to all benefits and rights as are the persons and property presently within the corporate limits of the City of Payette.

Section 3. The City Engineer of the City of Payette is hereby directed to lodge and file with the City Clerk of Payette within ten (10) days after passage and approval hereof, a legal description and map prepared in a draftsman like manner which shall plainly and clearly designate the boundaries of the lands and territory annexed, pursuant to the provisions of Section 1.

Section 4. The City Council having considered the written and oral comments of property owners whose land would be annexed and other affected persons, makes the following express findings:

- (A) The land to be annexed meets the applicable requirements of a Category A annexation and does not fall within the exceptions or conditional exceptions contained in this section;
- (B) The annexation is reasonable necessary for the orderly development of the city.

The City Council directs the City Clerk to set forth said findings in the minutes of the City Council meeting at which the annexation is approved.

Section 5. Pursuant to the findings of the Payette City Council, the land use classification of the lands described in "Exhibit A" annexed hereto is established as B-Residential as provided by the Zoning Ordinance of the City of Payette. The findings with respect to zoning of the lands being annexed are:

- A. The proposed zoning complies with and conforms to the Comprehensive General Plan.
- B. The proposed zoning will provide and maintain existing and future capabilities of public utilities.
- C. The proposed zoning will maintain and preserve compatibility of surrounding zoning and development.
- D. The proposed annexation incorporates the Payette water planning area.
- E. The proposed zoning and annexation honors the negotiated Area of Impact Agreement with Payette County.
- F. The proposed zoning is consistent with the Payette County Comprehensive Plan.

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Section 6. The City Clerk is hereby directed to alter all use and area maps as well as the official zoning maps, comprehensive plan and all official maps depicting the boundaries of the City of Payette, in accordance with this ordinance.

Section 7. The City Clerk of the City of Payette is hereby directed to file, within (10) days after the passage and approval hereof, a certified copy of this Ordinance with the Payette County Assessor, County Recorder and County Treasurer of Payette County, Idaho, and the State Tax Commission of Idaho, and to file a copy of said legal description and map, as prepared and lodged with her by the City Engineer, with the County Assessor and County Recorder of Payette County, Idaho, and the State Tax Commission of Idaho, all as provided by Idaho Code § 50-223 and § 63-2215.

Section 8. This Ordinance may be published in summary form.

Section 9. This Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

PASSED by the Council of the City of Payette, Idaho, this 2nd day of July, 2007.

APPROVED by the Mayor of the City of Payette, Idaho, This 2nd day of July, 2007.

APPROVED:



Douglas P. Henderson, Mayor

COM. ASS LAND SURVEYING, P.L.L.C.

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6940 N. Linder Road
Meridian, Idaho 83646

Telephone: (208) 887-5429
Fax: (208) 887-5429
Email: rgray_cls@cablone.net

Client: Dave Washburn
Date: March 19, 2007
Job No.: 0407
RE: Montesa Subdivision (7Acre Piece)

PROPERTY DESCRIPTION

A parcel of land being a portion of the SW 1/4 of Section 27, Township 9 North, Range 5 West, Boise Meridian, Payette, Payette County Idaho, more particularly described as follows:

Commencing at a found 3 inch diameter brass disk marking the SE corner of said SW 1/4, (South 1/4 corner), said corner bears S. 89° 11' 52" E., a distance of 2637.83 feet from a found 3 inch diameter brass disk marking the SW corner of said SW 1/4, (Section corner common to sections 27, 28, 33 and 34);

Thence along the southerly boundary of said SW 1/4, N. 89° 11' 52" W., a distance of 804.50 feet to a point;

Thence N. 00° 41' 26" E., a distance of 491.03 feet to the *POINT OF BEGINNING*, said point monumented with a found 1/2 inch diameter iron pin stamped "Mullinix PE/LS";

Thence N. 89° 14' 24" W., a distance of 63.70 feet to a found 5/8 inch diameter iron pin stamped "Bi-State PLS 797";

Thence N. 00° 41' 47" E., a distance of 18.03 feet to a point;

Thence N. 89° 11' 52" W., a distance of 311.11 feet to a found 5/8 inch diameter iron pin stamped "Neitz PLS 797";

Thence N. 00° 41' 42" E., a distance of 800.01 feet to a found 5/8 inch diameter iron pin stamped "Bi-State PLS 797";

Thence S. 89° 12' 00" E., a distance of 374.73 feet to a found 1/2 inch diameter iron pin stamped "Mullinix PE/LS";

Thence S. 00° 41' 24" W., a distance of 818.00 feet to the *POINT OF BEGINNING*.

This parcel contains 6.90 acres more or less.

All according to the record of survey as recorded in the Office of the Payette County Recorder.

SUBJECT TO: All existing rights of way and easements of record or implied appearing on the above-described parcel of land.

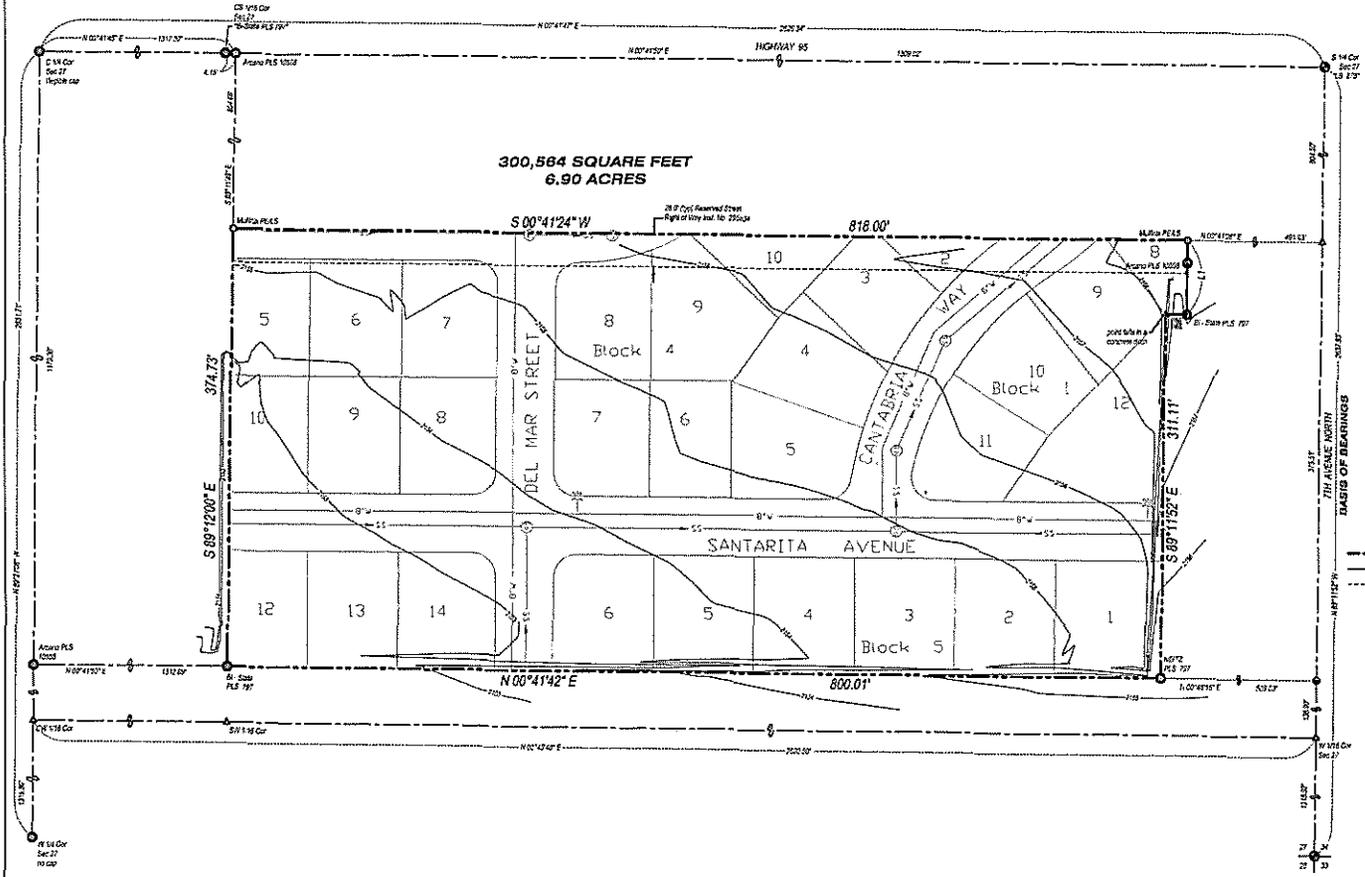


EXHIBIT "A"

EXHIBIT

"B"

ANNEXATION MAP FOR
 LOCATED IN A PORTION OF SW 1/4, SECTION 27, T. 9 N. R. 5 W., B.M.
 PAYETTE, PAYETTE COUNTY, IDAHO, 2007



LEGEND

- Calculated point
- Found aluminum cap monument
- Found brass cap monument
- Found 5/8 inch dia. iron pin
- Found 1.2 inch dia. iron pin
- Found PK nail
- Boundary line
- - - Section line
- - - Easement line

LINE	BEARING	DISTANCE
17	N 00°41'42" E	600.01
17	S 69°41'24" E	374.73

Instrument # 346249

PAYETTE COUNTY

2007-07-06

09:35:00 No. of Pages: 7

Recorded for : CITY OF PAYETTE

BETTY J DRESSEN

Ex-Officio Recorder

Index to : ORDINANCE

Deputy
[Signature]
 Fee: 0.00

DEVELOPER
 Montesa Development, Inc.
 420 Sherry Road
 Nampa, Idaho 83655
 573-5511

ENGINEER
 Civil Dynamics
 PO Box 55
 Nampa, Idaho 83653
 488-0823

SURVEYOR
 Richard A. Gray, LS
 Compass Land Surveying
 6940 N. Linder Road
 Meridian, Idaho 83646
 887-5429

MONTESA DEVELOPMENT, INC.
COMPASS LAND SURVEYING
 6940 N LINDER RD. MERIDIAN, ID 83646
 (208) 887-5429
 (208) 887-5429 Fax

JOB NO.	DWG NO.	SCALE	DRAWN BY	DATE
0407	0407R05	1"=100'	JWB	2/16/07

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SUMMARY OF ORDINANCE 1281

Ordinance 1281 is an ordinance of the City Of Payette, Idaho, adopted July 2, 2007. The ordinance may be descriptively known as the Payette ordinance annexing property generally located north of 7th Avenue North, and West of Highway 95, more particularly described as:

Commencing at a found 3 inch diameter brass disk marking the SE corner of said SW 1/4, (South 1/4 corner), said corner bears S. 89° 11' 52" E., a distance of 2637.83 feet from a found 3 inch diameter brass disk marking the SW corner of said SW 1/4, (Section corner common to sections 27, 28, 33 and 34);

Thence along the southerly boundary of said SW 1/4, N. 89° 11' 52" W., a distance of 804.50 feet to a point;

Thence N. 00° 41' 26" E., a distance of 491.03 feet to the *POINT OF BEGINNING*, said point monumented with a found 1/2 inch diameter iron pin stamped " Mullinix PE/LS";

Thence N. 89° 14' 24" W., a distance of 63.70 feet to a found 5/8 inch diameter iron pin stamped " Bi-State PLS 797";

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Thence S. 89° 12' 00" E., a distance of 374.73 feet to a found 1/2 inch diameter iron pin stamped " Mullinix PE/LS";

Thence S. 00° 41' 24" W., a distance of 818.00 feet to the *POINT OF BEGINNING*.

all situated in Payette County, Idaho, and Adjacent and Contiguous to the Corporate City limits, and establishing and determining the land use classification of said land as B-Residential. The Ordinance makes specific findings and instructs the City Clerk and the City Engineer to make the Ordinance a recorded document which is filed with the proper authorities; The Ordinance provides for publication by summary, sets an effective date.

I, Bert L. Osborn, City Attorney for the City of Payette Idaho, certify that I am familiar with Ordinance 1281 of the City of Payette, Idaho and with the foregoing summary. The summary is true and complete and provides adequate notice to the public. The full text is on file with the Payette City Clerk and shall promptly be made available to any citizen upon request.

Dated this 9th day of July, 2007.

A handwritten signature in cursive script, appearing to read "Bert L. Osborn". The signature is written in dark ink and is positioned above a horizontal line.

Bert L. Osborn



September 11, 2007

Mary Cordova
Payette City Clerk
700 Center Ave.
Payette, ID 83661

Subject: Ordinance No. 1281 PAYETTE (CITY)

Dear Ms. Cordova:

The Idaho State Tax Commission (ISTC) received the documentation that was provided for the annexation of real property in PAYETTE (CITY), for tax year 2008. We approve the map and legal description; however this approval is limited to the acknowledgement that the map and legal description meet the requirements of Section 63-215 Idaho Code, and Idaho State Tax Commission Rule 225.

Please review the documentation for accuracy and **respond** in a timely manner or it may be too late to make corrections. Please respond if the attached documentation is correct or if there are issues. You can contact me by email at gis@tax.idaho.gov or by phone at 208-334-7750. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "Craig Johnson". The signature is written in a cursive, slightly slanted style.

Craig Johnson
GIS Analyst
Technical Support Bureau
Idaho State Tax Commission

CC:
Bob MacKenzie, Payette County Assessor
Betty Dressen, Payette County Clerk
Greg Cade, Property Appraisal Section Manager
Gary Houde, Senior Research Analyst

ID_yr080 - Annexations -- List of Changes

Run Date: 9/12/2007 1:02 PM

Effective 01/01/2008

COUNTY: 38 - PAYETTE

Districts Created

Districts Dissolved

<u>To TCA#</u>	<u>Map Change</u>	<u>From TCA#</u>	<u>Map</u>	<u>Location</u>	<u>Dist. Chg</u>	<u>District</u>	<u>Action</u>	<u>Document</u>
03-0000	Enlarge	31-0000	City of Fruitland	SEC23 T8N R5W BM		FRUITLAND (CITY)	Annexation	475
03-0000	Enlarge	31-0000	City of Fruitland	SEC23 T8N R5W BM		FRUITLAND (CITY)	Annexation	476
03-0000	Enlarge	31-0000	City of Fruitland	SEC27 T8N R5W BM		FRUITLAND (CITY)	Annexation	478
01-0000	Enlarge	11-0000	City of Payette	SEC35 T9N R5W BM		PAYETTE (CITY)	Annexation	1275
01-0000	Enlarge	11-0000	City of Payette	SEC27 T9N R5W BM		PAYETTE (CITY)	Annexation	1281

Ordinance 1281

Area of Interest

Anx 316
9/12/07

11

11

11

09N05W28

09N05W27

01

*From: 11
To: 01*

01

01

09N05W33

09N05W34

01-2

