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Instrument # 429540

STATE OF IDAHO, PAYETTE COUNTY

7-23-2020 09:32:13 AM No. of Pages: 6

Recorded for : CITY OF PAYETTE

LINDSEY BRATCHER

Ex-Officio Recorder Deputy

Index to: ORDINANCE - MISC

Fee: 0.00

Christine Poe

(Space above reserved for recording)

ORDINANCE NUMBER 1478

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO,
RE-ZONING CERTAIN LANDS LYING WITHIN THE CITY LIMITS OF PAYETTE,
PAYETTE COUNTY, IDAHO, TO WIT PAYETTE COUNTY PARCEL P194001700F
OWNED BY RCG/R2B, LLC. MAKING CERTAIN FINDINGS; AMENDING THE
ZONING MAP; DIRECTING THE CITY ENGINEER AND THE CITY CLERK;
SETTING AN EFFECTIVE DATE.

SECTION 1: THE CITY COUNCIL FINDS:

WHEREAS, the City of Payette, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized under the provisions of 67-6511, Idaho Code, to establish within its jurisdiction one or more zones or zoning districts where appropriate which zoning districts are established in Payette City Code § 17.60.010; and,

WHEREAS, RCG/R2B, LLC. (the "Owner") is the owner of the certain real property which has been designated by the Payette County Assessor's office as Parcel No. **P194001700F**, which is more particularly described in "Exhibit A"-Legal Description attached to this Ordinance and incorporated herein by reference (the "Subject Real Property") and has requested that the Subject Real Property be rezoned from the City's C-COMMERCIAL DISTRICT TO B-RESIDENTIAL (the "Rezone"); and,

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on June 4, 2020 as required by Section 67-6525, Idaho Code, and made findings where it was recommended to the Mayor and Council that the rezoning for the lands described in Exhibit A from C-Commercial to B-Residential be approved; and,

WHEREAS, the Payette City Council, pursuant to public notice as required by law, held a public hearing on July 13, 2020 on the Rezone, as required by Section 67-6525, Idaho Code, and in accordance with the provisions of Payette City Code Section 17.60.010 made findings and determined that the requested rezone should be granted with a zoning classification B-Residential; and,

WHEREAS, it is necessary that the City Council adopt this

Ordinance, as required by Section 67-6511 (2) Idaho Code to complete the process of implementing the decision of the Payette City Council to Rezone the Subject Real Property.

SECTION 2: ACTION:

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

2.1 The Subject Real Property is rezoned from C-COMMERCIAL ZONING DISTRICT to B-RESIDENTIAL (the "Rezone").

2.2 The Zoning Map of the City of Payette is hereby amended to comply with this Rezone.

2.3 The City Engineer is directed to change the zoning district depictions of the Subject Real Property on the Zoning Map of the City in accordance with this Rezone ordinance; and

2.4 The City Clerk is directed to file this Ordinance in the official records of the City and to provide a copy to the City Engineer and Owner.

SECTION 3: EFFECTIVE DATE:

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

SIGNED and DATED this 21st day of July, 2020.

CITY OF PAYETTE, Idaho

by Jeffrey T. Williams, Mayor

Attest:

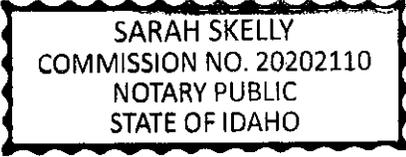
Mary Cordova, City Clerk

State of Idaho)
) ss.
County of Payette)

On this 21st day of July, in the year of 2020, before me Sarah Skelly, a notary public, personally appeared MARY CORDOVA and JEFFREY WILLIAMS, personally known to me to be the persons whose name is subscribed to the within instrument, and acknowledged to me that they executed the same on behalf of the City of Payette in their official capacities as Mayor and City Clerk.

S Skelly

Notary Public For Idaho
Residing at: Payette
Commission expires: 6-18-26





SAWTOOTH
Land Surveying, LLC

2030 S. Washington Ave.
Emmett, ID 83617
P: (208) 398-8104
F: (208) 398-8105

Re-Zone Description

BASIS OF BEARING for this description is S. 89°59'53" E., between a brass cap marking the W1/16 corner of Section 34 and a brass cap marking a 10.57-foot witness corner to the S1/4 corner of Section 34, both in T. 9 N., R. 5 W., B.M., City of Payette, Payette County, Idaho.

A parcel of land being a portion of Lot A of Quast Subdivision on file in Book 5 of Plats at Page 38, and a portion of Block 17 of Westslope Subdivision on file in Book 1 of Plats at Page 35, Payette County records. Located in the SE1/4 of the SW1/4 of Section 34, T. 9 N., R. 5 W., B.M., City of Payette, Payette County, Idaho, more particularly described as follows:

COMMENCING at the S1/4 corner of said Section 34, said point witnessed N. 89°59'53" W., 10.57 feet with a brass cap "RMB 878";

Thence N. 0°20'56" W., coincident with the east line of said SE1/4 of the SW1/4, a distance of 239.72 feet;

Thence N. 89°57'50" W., 47.02 feet to a 5/8" rebar with cap PLS 10782 marking the SE corner of Pioneer Plaza Subdivision on file in Book 7 of Plats at Page 26;

Thence N. 89°23'21" W., coincident with the south line of said Pioneer Plaza Subdivision, a distance of 306.22 feet to a 5/8" rebar with cap PLS 2342;

Thence N. 86°51'29" W., coincident with said south line of Pioneer Plaza Subdivision, a distance of 73.99 feet to a 5/8" rebar with cap PLS 10782 marking the SW corner of said Pioneer Plaza Subdivision and an angle point in the southerly boundary of said Lot A of Quast Subdivision and the **POINT OF BEGINNING**;

Thence along said southerly boundary of Quast Subdivision the following (2) courses and distances:

Thence continuing, N. 86°51'29" W., 150.71 feet to a 1/2" rebar with no cap;

Thence N. 85°14'04" W., 164.07 feet to a 1/2" rebar with no cap;

Thence, leaving said southerly boundary, N. 0°00'10" W., 370.45 feet to the southerly boundary of Replat of Green Acres Subdivision;

Thence, coincident with said southerly boundary, S. 89°56'50" E., 148.13 feet to a 5/8" rebar with no cap marking the SE corner of said Replat of Green Acres Subdivision;

Thence N. 0°16'12" W., coincident with the east line of said Replat of Green Acres Subdivision and the prolongation thereof, a distance of 489.60 feet to the prolongation of the south line of Block 11 of Westslope Subdivision;

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Thence N. 89°56'38" E., coincident with said prolongation of the south line and the south line of Block 11 of Westslope Subdivision, a distance of 389.15 feet to a 1" iron pipe marking the NW corner of Krug's First Subdivision on file in Book 1 of Plats at Page 39, Payette County records;

Thence S. 0°20'56" E., coincident with the west line of said Krug's First Subdivision, a distance of 497.27 feet to the north line of said Quast Subdivision;

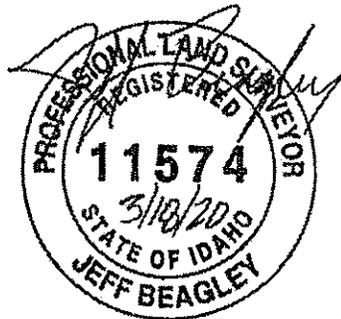
Thence N. 89°56'13" W., coincident with said north line of Quast Subdivision, a distance of 69.15 feet;

Thence leaving said north line, S. 0°02'11" E., 204.50 feet to the north line of said Pioneer Plaza Subdivision;

Thence N. 89°15'08" W., coincident with said north line of Pioneer Plaza Subdivision, a distance of 155.16 feet to a 5/8" rebar with cap PLS 10782 marking the NW corner of said Pioneer Plaza Subdivision;

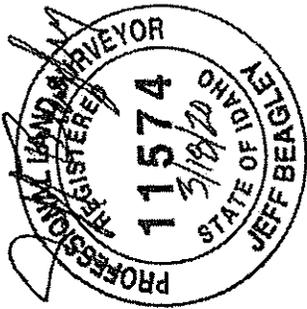
Thence S. 0°03'07" E., coincident with the west line of said Pioneer Plaza Subdivision, a distance of 182.52 feet to the **POINT OF BEGINNING**.

The above described parcel contains 7.896 acres, more or less.

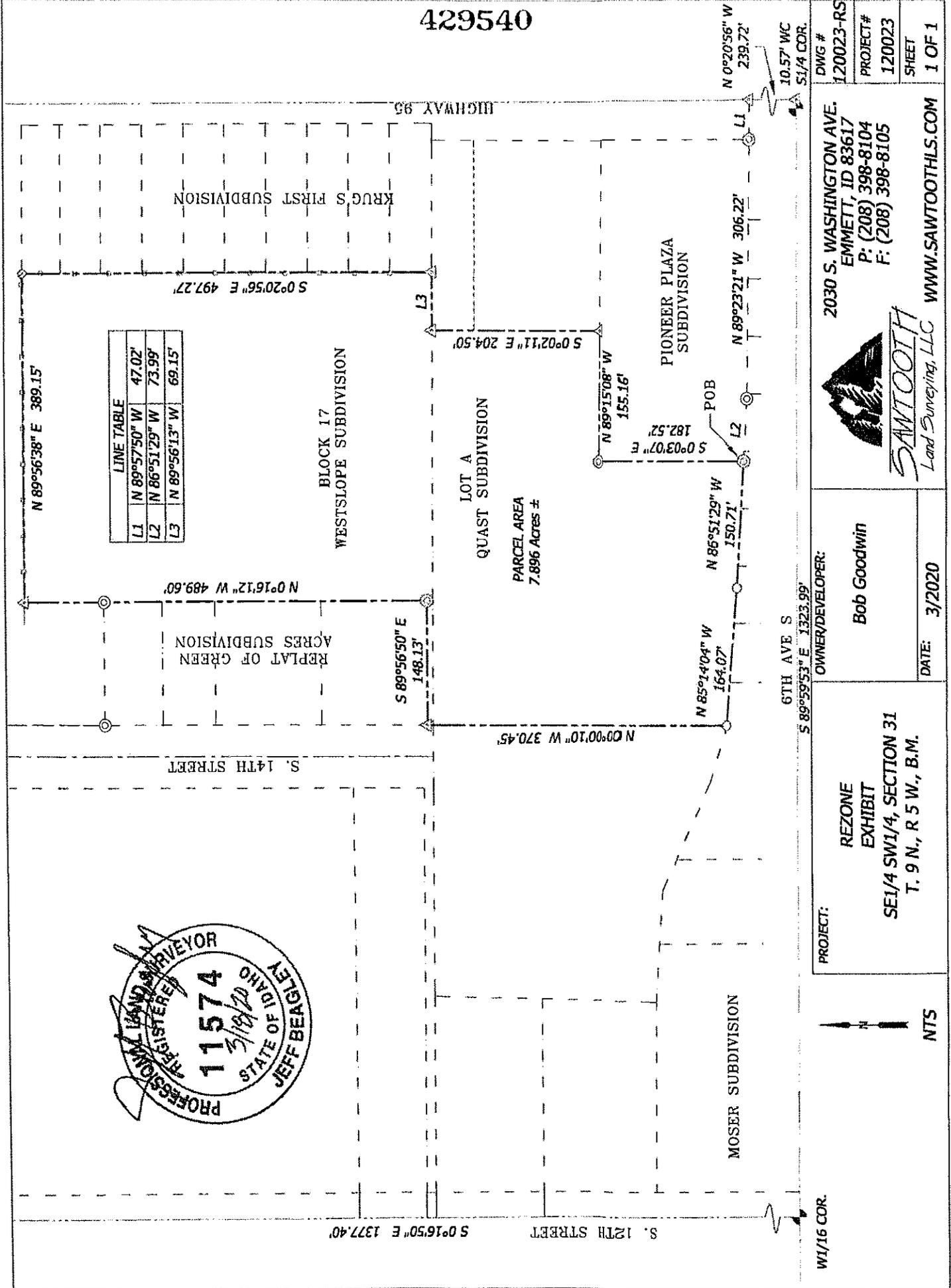


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| LINE TABLE | |
|------------|----------------------|
| L1 | N 89°57'50" W 47.02' |
| L2 | N 86°51'29" W 73.99' |
| L3 | N 89°56'13" W 69.15' |



PROJECT: REZONE EXHIBIT SE1/4 SW1/4, SECTION 31 T. 9 N., R 5 W., B.M.

OWNER/DEVELOPER: Bob Goodwin

DATE: 3/2020

DWG # 120023-RS
PROJECT # 120023
SHEET 1 OF 1

2030 S. WASHINGTON AVE.
EMMETT, ID 83617
P: (208) 398-8104
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SAWTOOTH
 Land Surveying, LLC
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NTS