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ORDINANCE NO. 1553

Instrument # 455445  
STATE OF IDAHO, PAYETTE COUNTY  
4-18-2024 03:10:27 PM No. of Pages: 7  
Recorded for: PAYETTE, CITY OF  
LINDSEY BRATCHER Fee: 0.00  
Ex-Officio Recorder Deputy *Lindsey Bratcher*  
Index to: ORDINANCE - MISC

AN ORDINANCE ANNEXING PROPERTY, WHICH PROPERTY IS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" WHICH IS ATTACHED HERETO. SAID PROPERTY IS SITUATED IN A PARCEL OF LAND IN THE SW1/4 OF THE SE ¼ OF SECTION 26; TOWNSHIP 9 NORTH, RANGE 5 WEST, BOISE-MERIDIAN, PAYETTE COUNTY, IDAHO AND IS ADJACENT AND CONTIGUOUS TO THE CORPORATE 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 annexes property pursuant to Idaho Code § 50-222; and,

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

WHEREAS, the Payette City Council has provided for the annexation and zoning of that property described in Exhibit "A" and has adopted findings in support of the annexation; and,

WHEREAS, the City of Payette has annexed under Category A of the Idaho Code because the landowner has 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 April 10, 2024, and recommended to the Mayor and Council that the proposed annexation be approved and said lands be zoned B-Residential; and,

WHEREAS, the Payette City Council, pursuant to public notice, held a public hearing, on April 15, 2024, on the

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proposed annexation and zoning for the property described 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.** Those lands and territory situated in Payette County, Idaho, adjacent and contiguous to the City of Payette, Idaho, more 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 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:

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(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 reasonably 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 generally 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 and sewer 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 Comprehensive Plan.

**Section 6.** The City Clerk is hereby directed to alter all use and area maps as well as the official zoning maps,

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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.

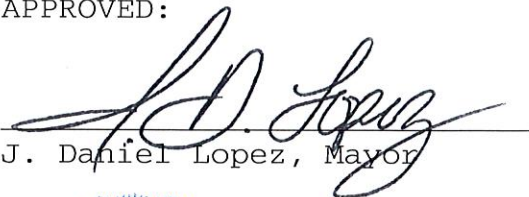
**Section 8.** This Ordinance may be published in summary form.

**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 15<sup>th</sup> day of April, 2024.

APPROVED by the Mayor of the City of Payette, Idaho, This 16<sup>th</sup> day of April 2024.

APPROVED:

  
J. Daniel Lopez, Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk



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State of Idaho )  
 ) ss.  
County of Payette )

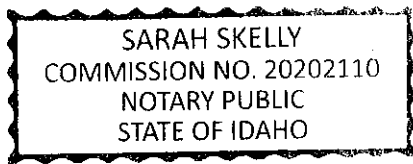
On this 16<sup>th</sup> day of April, in the year of 2024, personally appeared J. DANIEL LOPEZ, Mayor and DAVID TATE, City Clerk, personally known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same on behalf of the City of Payette in their official capacities as Mayor and City Clerk.

*S Skelly*

Notary Public for Idaho

Residing at: Payette

Commission expires: 6/18/2026



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EXHIBIT "A"

Sawtooth Land Surveying, LLC



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

Annexation Description

**BASIS OF BEARING** is S. 88°42'27" E., between a brass cap marking the S1/4 corner of Section 26 and a 5/8" rebar with an illegible cap marking the E1/16 corner of Section 26, both in T. 9 N., R. 5 W., B.M., Payette County, Idaho.

A parcel of land located in the SW1/4 of the SE1/4 of Section 26, T. 9 N., R. 5 W., B.M., Payette County, Idaho, more particularly described as follows:

**BEGINNING** at a brass cap marking the S1/4 corner of said Section 26;

Thence N. 0°40'31" E., coincident with the west line of said SW1/4 of the SE1/4, a distance of 1297.27 feet to an aluminum cap LS 6605 marking the CS1/16 corner and the southeast corner of Airport Development Subdivision, on file in Book 7 of Plats at Page 11, Payette County Records;

Thence S. 88°53'21" E., coincident with the north line of said SW1/4 of the SE1/4 and the south line of said subdivision, 1030.49 feet;

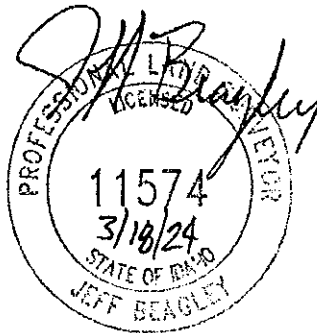
Thence S. 0°46'55" W., parallel with the east line of said SW1/4 of the SE1/4, a distance of 658.49 feet;

Thence N. 88°42'27" W., parallel with the south line of said SW1/4 of the SE1/4, a distance of 706.00 feet;

Thence S. 0°46'55" W., parallel with said east line, 642.02 feet to said south line and the centerline of 7th Ave N;

Thence N. 88°42'27" W., coincident with said south line and said centerline, 322.10 feet to the **POINT OF BEGINNING**.

Said parcel contains 20.285 acres more or less.



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EXHIBIT "A"

AIRPORT DEVELOPMENT SUBDIVISION  
BOOK 7, PAGE 11

CS1/16 CORNER  
"LS 6605"

SE1/16 CORNER  
"JENSEN, PLS 4203"

S 88°53'21" E 1030.49'

S 88°53'21" E  
290.39'

TWO RIVERS  
ESTATES  
SUB. NO. 1

TWO RIVERS  
ESTATES  
SUB. NO. 2

DRIFTWOOD  
DRIVE

ANNEXATION PARCEL  
± 20.285 ACRES

S 00°46'55" W 658.49'

UNPLATTED

N 00°40'31" E 1297.27'

UNPLATTED

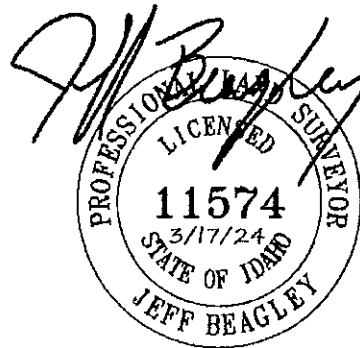
N 88°42'27" W 706.00'

N.T.S.

S 00°46'55" W 1301.43'

S 00°46'55" W 642.02'

UNPLATTED




N 88°42'27" W 322.10'

996.40' 7TH AVE N

S 1/4 COR  
SECTION 26  
P.O.B. ANNEXATION PARCEL

S 88°42'27" E 1318.50'  
BASIS OF BEARING

E1/16 COR. SEC. 26  
ILLEGIBLE CAP

<p>PROJECT: ANNEXATION EXHIBIT SW1/4 OF THE SE1/4, SECTION 26 T. 9 N., R. 5 W., B.M. PAYETTE COUNTY, IDAHO</p>	<p>OWNER/DEVELOPER: RCG, INC.</p> <p>DATE: 3/2024</p>	 <p>2030 S. WASHINGTON AVE. EMMETT, ID 83617 P: (208) 398-8104 F: (208) 398-8105</p> <p>WWW.SAWTOOTHLS.COM</p>	<p>DWG # 124038-EX</p> <p>PROJECT# 124038</p> <p>SHEET 1 OF 1</p>
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