



City of Boise Ordinance Annexation

Planning and Development
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TO: Mayor and Council
FROM: Scott Spjute, Planning and Development Services
NUMBER: **ORD-30-17**
DATE: September 5, 2017
SUBJECT: De-Annexation ordinance

BACKGROUND:

FINANCIAL IMPACT:

None.

ATTACHMENTS:

- Exhibit A (PDF)

CITY OF BOISE

Ordinance NO. ORD-30-17

BY THE COUNCIL

CLEGG , JORDAN, LUDWIG, MCLEAN,
QUINTANA, AND THOMSON

AN ORDINANCE DE-ANNEXING 5.984 ACRES OF CERTAIN LANDS AND TERRITORY LOCATED WITHIN ADA COUNTY, IDAHO AND ADDRESSED AS 8850 NORTH HORSESHOE BEND ROAD; SETTING FORTH A REASONED STATEMENT IN SUPPORT OF THE DE-ANNEXATION; DIRECTING THE CITY ENGINEER TO LODGE AND FILE A LEGAL DESCRIPTION AND MAP OF THE DE-ANNEXED LANDS AND TERRITORY; DIRECTING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY AUDITOR, THE ADA COUNTY TREASURER, THE ADA COUNTY ASSESSOR, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION; PROVIDING THAT A COPY OF THE LEGAL DESCRIPTION AND A MAP OF THE DE-ANNEXED LANDS AND TERRITORY BE RECORDED WITH THE ADA COUNTY RECORDER AND FILED WITH THE ADA COUNTY ASSESSOR AND THE IDAHO STATE TAX COMMISSION AS REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owner of the lands and territory, located within Ada County and more particularly described by Section 1 of this Ordinance, has agreed to de-annexation of the subject property; and

WHEREAS, the Boise City Council has found and determined de-annexation of this property to be in the best interests of the city of Boise City; and

WHEREAS, the city of Boise City may de-annex and exclude property from its boundaries pursuant to Idaho Code Section 50-225.

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

Section 1. That the 5.984-acre parcel of land addressed as 8850 North Horseshoe Bend Road, located within the city of Boise City, Ada County, Idaho, and more particularly described by Exhibit A, attached hereto, and made a part of this Ordinance, be, and is hereby, de-annexed from the territorial limits of the city of Boise City.

Section 2. Upon and following the effective date of this Ordinance, all property included within the boundaries and territory described by Section 1 of this Ordinance shall be de-annexed as provided by this Ordinance and shall henceforth be subject to all statutes pertaining to Ada County and all ordinances, resolutions,

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police regulations, taxation, and other powers of Ada County, and all persons and property within the de-annexed property shall be and are entitled to all benefits and rights as are all other persons and property presently within the territorial limits of Ada County.

Section 3. The City Engineer for the city of Boise City is hereby directed to lodge and file with the City Clerk of the city of Boise City within ten days after the passage and approval hereof, a legal description and map prepared in a professional manner which shall plainly and clearly designate the boundaries of the lands and territory de-annexed pursuant to Section 1 of this Ordinance.

Section 4. The zoning maps for the city of Boise City, are hereby changed, altered, and amended to exclude the real property described by Section 1 of this Ordinance from the territory of the city of Boise City.

Section 5. The City Clerk for the city of Boise City is hereby directed to file, within ten days of the passage and approval of this Ordinance, a certified copy of this Ordinance with the Ada County Auditor, Ada County Treasurer, Ada County Assessor, and the Idaho State Tax Commission, and to file a copy of said legal description and map, as prepared and lodged with the City Clerk by the City Engineer, with the Ada County Assessor, Ada County Recorder and the Idaho State Tax Commission, all as provided by Idaho Code sections 50-223 and 63-215.

Section 6. That this Ordinance shall be in full force and effect immediately upon its passage, approval, and publication.