

ORDINANCE NO. 212

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, ADOPTING A MAP IDENTIFYING THE HAYDEN AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

WHEREAS, pursuant to Idaho Code Section 67-6526, the City of Hayden, Idaho, and Kootenai County, Idaho, have conferred and negotiated in good faith upon an Area of City Impact for the City of Hayden within the unincorporated area of Kootenai County; and

WHEREAS, a public hearing, pursuant to public notice as required by law, was held by the duly-constituted Planning and Zoning Commission of Kootenai County, Idaho, on November 29, 1994, on the Map identifying an Area of City Impact, following which hearing said Commission made a recommendation to the Board of County Commissioners of Kootenai County, Idaho; and

WHEREAS, the Board of County Commissioners of Kootenai County, Idaho, pursuant to public notice as required by law, held a public hearing on the proposed Map identifying an Area of City Impact on December 19, 1994; and

WHEREAS, the City of Hayden and Kootenai County, Idaho, in accordance with the procedure required by law, have mutually agreed upon a Map identifying an Area of City Impact for the City of Hayden within the unincorporated area of Kootenai County, Idaho;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Kootenai County, Idaho:

Section 1

That Area of City Impact within the unincorporated area of Kootenai County is particularly described in Section 2 below, and also set forth on the Map set forth in said Section 2, which Map shall be in effect until amended or modified as allowed by law.

Section 2

The Hayden Area of City Impact shall consist of all of Sections 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, and 23, Township 51 North, Range 4 West Boise Meridian; a part of Sections 1, 24, 25, and 26, Township 51 North, Range 4 West Boise

Meridian; and a part of Sections 7, 19, and 30, Township 51 North, Range 3 West Boise Meridian, Kootenai County, Idaho; more particularly described as follows:

BEGINNING at the Southwest corner of said Section 20, Township 51 North, Range 4 West B. M., being the intersection of Meyer Road and Prairie Avenue;

THENCE East, along the South lines of said Sections 20, 21, 22, and 23 to the easterly right-of-way line of U.S. Highway 95 in said Section 23;

THENCE South $5^{\circ}51'$ West, 630 feet, more or less, along said easterly right-of-way line to Highway right-of-way monument P.T. 153+44.70;

THENCE 347.38 feet along said easterly right-of-way line on the arc of a 28,537.9 foot radius curve left, said curve having a chord bearing South $5^{\circ}28'06''$ West, 347.38 feet to the northerly right-of-way line of Aqua Avenue;

THENCE South $88^{\circ}57'32''$ East, 1275.35 feet along said northerly right-of-way line to its intersection with the westerly right-of-way line of Government Way (a.k.a. Old Highway 95);

THENCE continuing South $88^{\circ}57'32''$ East, 60.00 feet, and leaving said westerly right-of-way line to the easterly right-of-way line of said Government Way and the westerly line of the City of Dalton Gardens;

THENCE North $1^{\circ}04'06''$ East, 989.24 feet (of record as North) along said easterly right-of-way line and the northerly projection thereof, and said westerly line of the City of Dalton Gardens to a point on the South line of said Section 24 on the centerline of Prairie Avenue, said point also being the Northwest corner of the City of Dalton Gardens;

THENCE East, 3930.00 feet, more or less, along the South line of said Section and the northerly line of the City of Dalton Gardens to the East 1/16 section corner common to said Sections 24 and 25;

THENCE along the northwesterly boundary of that certain right-of-way easement granted from Charles Finucane and Marion Finucane to the Dalton Gardens Irrigation District on the 13th day of March 1954, as Instrument Number 284140, records of said County, and described as follows:

"a strip of land 11 feet in width situated in the Southeast Quarter of Section 24, Township 51 North, Range 4 West Boise Meridian, Kootenai County, Idaho, the centerline of said strip of land being parallel with and 12 feet to the left of the following described line:

BEGINNING at the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 24;

North 34°44' East, 750.0 feet;

thence North 31°20' East, 241.4 feet;

thence along a curve to the right, 190.0 feet;

thence North 69°20' East, 618.6 feet to a point on the East line of said Southeast Quarter of Section 24, said point being 129.0 feet South of the Northeast corner of the Southeast Quarter of the Southeast Quarter of Section 24, all in Kootenai County, Idaho";

THENCE South, (from said point, being 129.0 feet South of the Northeast corner of the SE ¼ of the SE ¼ of said section, which point is also North 47°41'00" East, 1740.97 feet from the East 1/16 section corner common to said Sections 24 and 25), along the East line of said Section 24 to the corner common to said Sections 24 and 25, Township 51 North, Range 4 West and said Sections 19 and 30, Township 51 North, Range 3 West;

THENCE South 89°00'11" East, 30.0 feet along the North line of said Section 30;

THENCE South 0°46'08" East, 239.76 feet;

THENCE South 89°29'17" East, 170.0 feet;

THENCE South 31°28'59" East, 450.19 feet to the Northwest corner of Lot 1, Block 2, WOODLAND HEIGHTS, according to the plat on file in Book E of Plats at page 129;

THENCE traversing the northerly line of Block 2 of said WOODLAND HEIGHTS, as follows:

South 49°39'15" East, 647.74 feet;

thence South 64°21'30" East, 415.97 feet;

thence South 83°51'30" East, 158.91 feet;

thence North 82°20'15" East, 52.47 feet to the Northeast corner of Lot 7, Block 2 of said Plat;

THENCE leaving said plat of WOODLAND HEIGHTS, North 68°42'25" East, 1660.00 feet (of record as North 66° East, 1657 feet, more or less) along the southerly

line of WOODLAND HEIGHTS 5th ADDITION, according to the plat on file in Book G of Plats at page 64, and said southerly line extended;

THENCE North $86^{\circ}59'57''$ East, 150.00 feet (of record as North 87° East, 150 feet, more or less);

THENCE South $47^{\circ}00'03''$ East, 575.00 feet (of record as South 47° East, 575 feet, more or less);

THENCE South $89^{\circ}59'57''$ East, 475.00 feet (of record as East, parallel with the North line of said Section 30, a distance of 475 feet, more or less), to a point on the East line of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 30, said point being South $0^{\circ}10'56''$ East, 975.00 feet from the Northeast corner of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$;

THENCE South, along the East line of said NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the Southeast corner thereof;

THENCE East, along the South line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 30, to the Southeast corner thereof;

THENCE North, along the East line of said NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ to the Northeast corner of said Section 30 (corner to said Sections 19, 20, 29, and 30);

THENCE North, along the East line of said Section 19 to the shoreline of Hayden Lake;

THENCE westerly, northerly, and easterly along the mean high water line of Hayden Lake to the Southeast corner of Tax Number 1560, according to Book 91 of Deeds at page 514;

THENCE West, along the southerly line of said Tax Number, also being along the southerly line of the Village of Hayden Lake, according to said Book 91 of Deeds at page 514, and also being along said southerly line extended to the westerly right-of-way line of Chalet Road;

THENCE northerly, along said westerly right-of-way line to the southerly line of a parcel recorded in Book 76 of Deeds at page 425, as Instrument Number 16016;

THENCE West, along said southerly line, parallel with the North line of the NW $\frac{1}{4}$ of said Section 19, a distance of 1265.9 feet, more or less, to the West line of said NW $\frac{1}{4}$;

THENCE North, along said West line to the Northwest corner of said Section 19, at Hayden Avenue;

THENCE North, along the East lines of said Sections 13 and 12 to the ¼ section corner common to said Section 12, Township 51 North, Range 4 West, and said Section 7, Township 51 North, Range 3 West, being on the centerline of Strahorn Road;

THENCE North 0°03'45" East, 770.8 feet along the West line of the NW ¼ of said Section 7 and also being the centerline of Strahorn Road;

THENCE northeasterly, along said centerline to the North line of said Section 7;

THENCE West, along the North line of said Section 7 to the Northwest corner thereof (corner to said Sections 1, 12, 6, and 7);

THENCE West, 3960 feet, more or less, along the South line of said Section 1 to the West 1/16 section corner common to said Sections 1 and 12;

THENCE North, along the East line of the West ¼ of Section 1 to the West 1/16 Section corner common to said Section 1 and Section 36, Township 52 North, Range 4 West, Boise Meridian;

THENCE West, 1320 feet more or less, along the North line of said Section 1 to the Northwest corner thereof (corner to said Sections 1 and 2, Township 51 North, Range 4 West Boise Meridian and Sections 35 and 36, Township 52 North, Range 4 West Boise Meridian);

THENCE West, along the North line of said Section 2 and the North lines of Sections 3 and 4, Township 51 North, Range 4 West Boise Meridian, to the Northwest corner of said Section 4;

THENCE South, along the West line of Sections 4 and 9, Township 51 North, Range 4 West Boise Meridian, to the southwest corner of said Section 9;

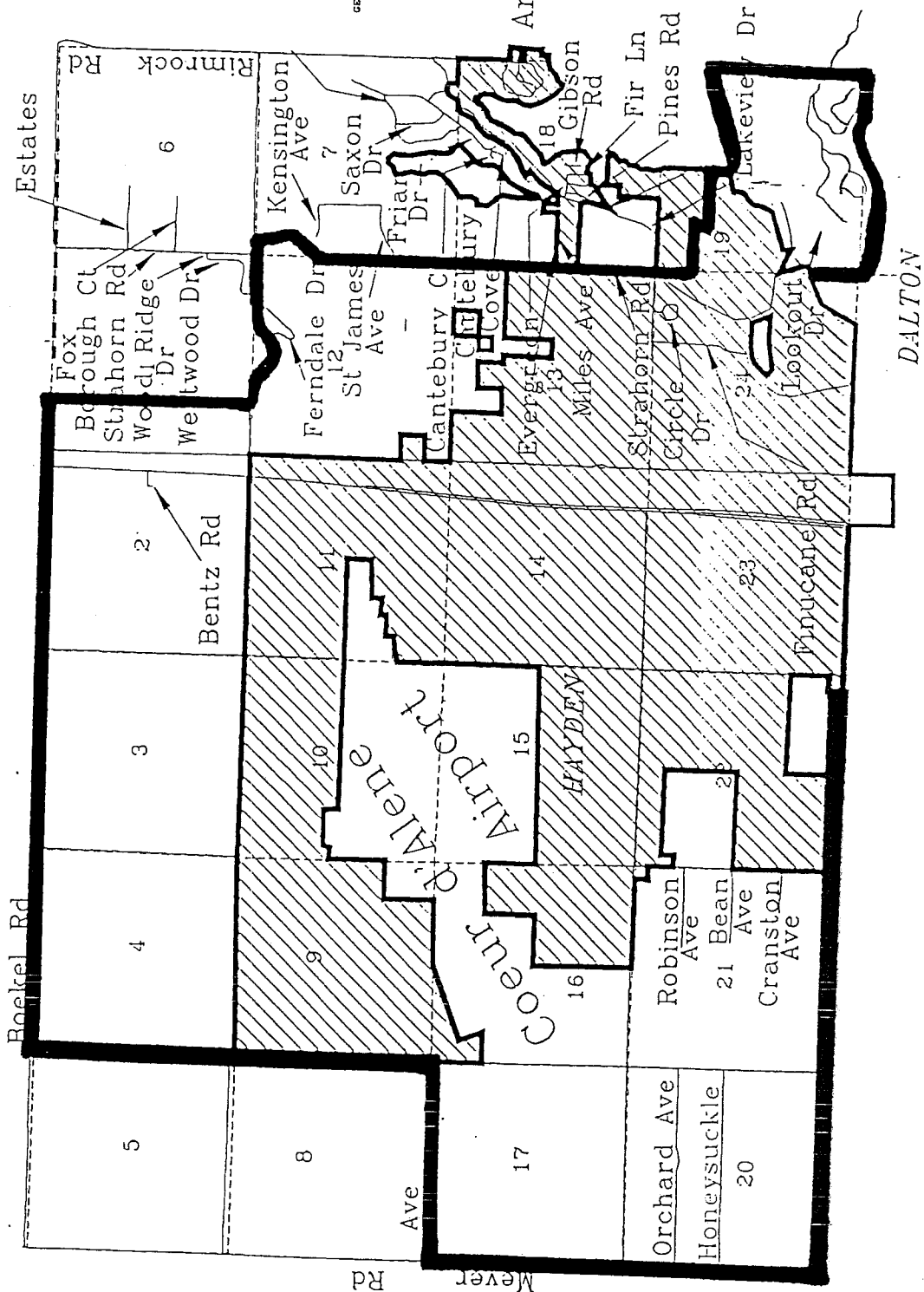
THENCE West, along the North line of Section 17, Township 51 North, Range 4 West Boise Meridian, to the northwest corner of said Section 17;

THENCE South, along the West line of said Sections 17 and 20 to the Southwest corner of said Section 20, the POINT OF BEGINNING.



CARTOGRAPHY BY:
 KOOTENAI COUNTY
 GEOGRAPHIC INFORMATION SERVICE
 November 17, 1984

HAYDEN
 Area of City
 Impact



Section 3

That this Map is adopted in conjunction with Ordinance No. 213, and is intended to be an integral part of said Ordinance.

Section 4

The provisions of this Ordinance are severable and if any provision, clause, sentence, subsection, word, or part thereof is held illegal, invalid, or unconstitutional or inapplicable to any person or circumstance, such illegality, invalidity, or unconstitutionality or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, subsections, words, or parts of this Ordinance or their application to other persons or circumstances. It is hereby declared to be the legislative intent that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional provision, clause, sentence, subsection, word, or part had not been included therein, and if such person or circumstance to which the Ordinance or part thereof is held inapplicable had been specifically exempt therefrom.

Section 5

Neither the adoption of this Ordinance nor the repeal of any Ordinance shall, in any manner, affect the prosecution for violation of such Ordinance committed prior to the effective date of this Ordinance or be construed as a waiver of any license or penalty due under any such Ordinance or in any manner affect the validity of any action heretofore taken by Board of County Commissioners of Kootenai County, Idaho, or the validity of any such action to be taken upon matters pending before the Board of County Commissioners on the effective date of this Ordinance.

Section 6

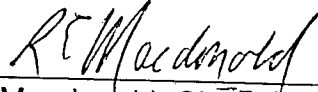
All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 7

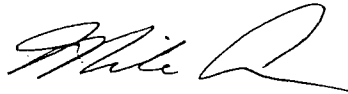
This Ordinance shall take effect and be in full force upon its passage, approval and publication in one (1) issue of the Coeur d'Alene Press, a newspaper of general circulation within Kootenai County, Idaho.

DATED this 28th day of December 1994.

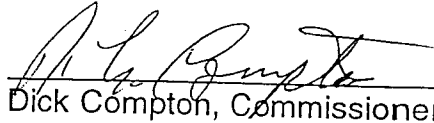
KOOTENAI COUNTY
BOARD OF COMMISSIONERS



Bob Macdonald, Chairman



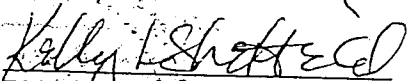
Mike Anderson, Commissioner



Dick Compton, Commissioner

ATTEST:

TOM TAGGART, CLERK



BY: Deputy Clerk

CERTIFICATION

I hereby certify that the attached Notice of Ordinance Adoption contains a true and complete summary of Ordinance No. 212 of Kootenai County, Idaho, and that the attached summary provides adequate notice to the public of the contents of said Ordinance.

TOM TAGGART, CLERK

BY: Kelly L. Sheffield
Deputy Clerk


NOTICE OF ORDINANCE ADOPTION

The Board of Commissioners of Kootenai County, Idaho, hereby gives notice of the adoption of Kootenai County Ordinance Number 212 (Hayden Area of City Impact Map). The full text of the ordinance addresses the following subjects:

AN ORDINANCE OF KOOTENAI COUNTY, IDAHO, PURSUANT TO IDAHO CODE SECTION 67-6526, ADOPTING A MAP IDENTIFYING THE HAYDEN AREA OF CITY IMPACT WITHIN THE UNINCORPORATED AREA OF KOOTENAI COUNTY, IDAHO; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE HEREOF.

The full text of Ordinance No. 212 is available at the Kootenai County Courthouse, 501 Government Way, Suite 202, Coeur d'Alene, Idaho 83814, weekdays, from 9 a.m. to 5 p.m. The map attached as Exhibit A defines the area with which this Ordinance is concerned.

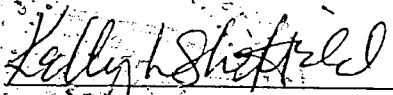
KOOTENAI COUNTY
BOARD OF COMMISSIONERS



Bob Macdonald, Chairman

ATTEST:

TOM TAGGART, CLERK

BY: 

Deputy Clerk

Publication Date: December 30, 1994



CARTOGRAPHY BY:
KOOTENAI COUNTY
GEOGRAPHIC INFORMATION SERVICE
November 17, 1984

HAYDEN Area of City Impact

