

ORDINANCE NO. 687
DEVELOPMENT AGREEMENT NO. 8124

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF TITLE 8 OF ADA COUNTY CODE, AS ADOPTED BY ORDINANCE NO. 391, TO CHANGE THE ZONING DESIGNATION OF **200700222-S-ZC-DA-PBA-VAC Charter Pointe Square** FROM R6 TO R12

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ADA COUNTY, IDAHO, THAT THE OFFICIAL ZONING MAP TITLE 8, ADA COUNTY CODE, AS ADOPTED BY ORDINANCE NO. 391 IS HEREBY AMENDED AS FOLLOWS:

THE BASE ZONING DESIGNATION IS CHANGED FROM R6 TO R12 ON THE FOLLOWING DESCRIBED PROPERTY SITUATED IN ADA COUNTY:

A PARCEL OF LAND BEING A PORTION OF THE EAST 1/2 OF SECTIONS 2 AND 11, TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SE 1/4 (EAST 1/4 CORNER) OF SECTION 2, T.2N., R.1E., B.M., THENCE S 00°10'35" E 1326.22 FEET TO THE NORTHEAST CORNER OF THE SE 1/4 OF THE SE 1/4 OF SAID SECTION 2, THE **REAL POINT OF BEGINNING** OF THIS DESCRIPTION:

THENCE S 00°10'35" E 1326.21 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 2;

THENCE S 00°08'36" E, 680.12 FEET ALONG THE EAST LINE OF SECTION 11, T.2 N., R.1 E., B.M. TO A POINT ON THE CENTERLINE OF THE NEW YORK CANAL;

ALONG THE CENTERLINE OF THE NEW YORK CANAL THE FOLLOWING:

THENCE N 65°29'50" W, 458.59 FEET TO A POINT OF CURVATURE;

THENCE 280.47 FEET ALONG A TANGENT CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 420.00 FEET, A DELTA ANGLE OF 38°15'41", A TANGENT LENGTH OF 145.69 FEET AND A CHORD WHICH BEARS N 84°37'40" W FOR A DISTANCE OF 275.29 FEET TO A POINT OF TANGENCY;

THENCE S 76°14'29" W, 226.23 FEET TO A POINT OF CURVATURE;

THENCE 426.81 FEET ALONG A TANGENT CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 400.00 FEET, A DELTA ANGLE OF 61°08'08", A

TANGENT LENGTH OF 236.26 FEET AND A CHORD WHICH BEARS N 73°11'27" W FOR A DISTANCE OF 406.85 FEET TO A POINT;

LEAVING THE CENTERLINE OF THE NEW YORK CANAL:

THENCE N 38°29'41" E, 142.72 FEET ALONG THE BOUNDARY OF CHARTER POINTE SUBDIVISION NO. 10 TO A POINT;

THENCE N 38°53'56" W, 46.20 FEET TO A POINT;

THENCE N 18°01'49" W, 77.81 FEET TO A POINT;

THENCE N 22°50'37" E, 317.87 FEET ALONG THE BOUNDARY OF CHARTER POINTE SUBDIVISION NO.10 EXTENDED TO A POINT;

ALONG THE BOUNDARY OF CHARTER POINTE SUBDIVISION NO.10 THE FOLLOWING:

THENCE S 67°09'23" E, 109.59 FEET TO A POINT ON A CURVE;

THENCE 10.01 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT SAID CURVE HAVING A RADIUS OF 122.50 FEET, A DELTA ANGLE OF 04°40'57", A TANGENT LENGTH OF 5.01 FEET, AND A CHORD WHICH BEARS S 20°30'09" W FOR A DISTANCE OF 10.01 FEET TO A POINT ON A CURVE;

THENCE S 67°09'23" E, 50.00 FEET TO A POINT ON A CURVE;

THENCE 65.03 FEET ALONG A NON-TANGENT CURVE TO THE LEFT SAID CURVE HAVING A RADIUS OF 172.50 FEET, A DELTA ANGLE OF 21°36'01", A TANGENT LENGTH OF 32.91 FEET, AND A CHORD WHICH BEARS N 12°02'37" E FOR A DISTANCE OF 64.65 FEET TO A POINT ON A CURVE;

THENCE N 33°38'45" E, 29.62 FEET TO A POINT;

THENCE N 13°52'42" W, 50.00 FEET TO A POINT;

THENCE N 61°24'08" W, 29.62 FEET TO A POINT ON A CURVE;

THENCE 64.00 FEET ALONG A NON-TANGENT CURVE TO THE LEFT SAID CURVE HAVING A RADIUS OF 172.50 FEET, A DELTA ANGLE OF 21°15'26", A TANGENT LENGTH OF 32.37 FEET, AND A CHORD WHICH BEARS N 39°37'43" W FOR A DISTANCE OF 63.63 FEET TO A POINT ON A CURVE;

THENCE N 22°09'23" E, 120.81 FEET TO A POINT;

THENCE N 19°38'29" E 90.35 FEET TO A POINT;

THENCE N 70°33'36" W, 24.06 FEET TO A POINT;
THENCE N 67°38'22" W, 55.81 FEET TO A POINT;
THENCE N 65°40'09" W, 19.49 FEET TO A POINT;
THENCE N 63°41'56" W, 55.81 FEET TO A POINT;
THENCE N 60°46'40" W, 55.82 FEET TO A POINT;
THENCE N 57°51'24" W, 55.82 FEET TO A POINT;
THENCE N 54°56'08" W, 55.81 FEET TO A POINT;
THENCE N 52°00'54" W, 55.81 FEET TO A POINT;
THENCE N 48°09'35" W, 91.52 FEET TO A POINT;
THENCE N 44°40'30" W, 21.80 FEET TO A POINT;
THENCE N 00°10'35" W, 316.96 FEET TO A POINT;

LEAVING THE BOUNDARY OF CHARTER POINTE SUBDIVISION NO. 10 AND
ALONG THE BOUNDARY OF CHARTER POINTE SUBDIVISION NO. 9 THE
FOLLOWING:

THENCE S 84°03'53" E, 105.60 FEET TO A POINT;
THENCE S 00°10'35" E, 16.88 FEET TO A POINT;
THENCE N 89°49'25" E, 155.00 FEET TO A POINT;
THENCE N 00°10'35" W, 70.00 FEET TO A POINT;
THENCE N 16°38'03" E, 50.00 FEET TO A POINT ON A CURVE;

THENCE 36.35 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT SAID
CURVE HAVING A RADIUS OF 993.79 FEET, A DELTA ANGLE OF 02°05'44", A
TANGENT LENGTH OF 18.18 FEET, AND A CHORD WHICH BEARS
N 72°19'05" W FOR A DISTANCE OF 36.34 FEET TO A POINT ON A CURVE;

THENCE N 19°13'34" E, 104.96 FEET TO A POINT;
THENCE N 70°46'26" W, 117.96 FEET TO A POINT;

THENCE N 09°53'31" E, 106.23 FEET TO A POINT;

THENCE 8.83 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT SAID CURVE HAVING A RADIUS OF 215.00 FEET, A DELTA ANGLE OF 02°21'11", A TANGENT LENGTH OF 4.42 FEET, AND A CHORD WHICH BEARS S 71°57'02" E FOR A DISTANCE OF 8.83 FEET TO A POINT ON A CURVE;

THENCE N 19°13'34" E, 50.00 FEET TO A POINT ON A CURVE;

THENCE 19.33 FEET ALONG A NON-TANGENT CURVE TO THE LEFT SAID CURVE HAVING A RADIUS OF 265.00 FEET, A DELTA ANGLE OF 04°10'45", A TANGENT LENGTH OF 9.67 FEET, AND A CHORD WHICH BEARS N 72°51'49" W FOR A DISTANCE OF 19.32 FEET TO A POINT ON A CURVE;

THENCE N 10°43'07" E, 105.17 FEET TO A POINT;

LEAVING THE BOUNDARY OF CHARTER POINTE SUBDIVISION NO. 9 AND ALONG THE BOUNDARY OF CHARTER POINTE SUBDIVISION NO. 11 THE FOLLOWING:

THENCE S 72°48'53" E, 47.58 FEET TO A POINT;

THENCE S 70°46'26" E, 88.00 FEET TO A POINT;

THENCE S 71°34'53" E, 45.44 FEET TO A POINT;

THENCE S 75°39'28" E, 50.42 FEET TO A POINT;

THENCE S 80°15'12" E, 50.42 FEET TO A POINT;

THENCE S 84°50'56" E, 50.42 FEET TO A POINT;

THENCE S 89°12'49" E, 48.11 FEET TO A POINT;

THENCE N 89°31'02" E, 61.13 FEET TO A POINT;

THENCE S 00°00'00" E, 114.60 FEET TO A POINT;

THENCE S 21°49'37" W, 50.00 FEET TO A POINT;

THENCE S 26°17'03" E, 30.21 FEET TO A POINT;

THENCE S 77°08'58" E, 50.00 FEET TO A POINT ON A CURVE;

THENCE 43.96 FEET ALONG A NON-TANGENT CURVE TO THE RIGHT SAID CURVE HAVING A RADIUS OF 225.00 FEET, A DELTA ANGLE OF 11°11'37", A

TANGENT LENGTH OF 22.05 FEET, AND A CHORD WHICH BEARS N 18°26'51" E FOR A DISTANCE OF 43.89 FEET TO A POINT ON A CURVE;

THENCE S 65°57'21" E, 100.00 FEET TO A POINT;

THENCE N 34°55'40" E, 40.00 FEET TO A POINT;

THENCE N 49°59'18" E, 50.83 FEET TO A POINT;

THENCE N 72°38'36" E, 79.61 FEET TO A POINT;

LEAVING THE BOUNDARY OF CHARTER POINTE SUBDIVISION NO. 11:

THENCE N 89°42'50" E, 453.91 FEET TO THE **REAL POINT OF BEGINNING**, SAID PARCEL CONTAINING 51.27 ACRES, MORE OR LESS.

THIS PARCEL IS SUBJECT TO ALL EXISTING EASEMENTS AND RIGHTS OF WAY.

This ordinance shall be effective upon publication.

PASSED AND APPROVED by the Board of Ada County Commissioners this 26th day of March 2008.

BOARD OF COUNTY COMMISSIONERS

By: Fred Tilman, Chairman

By: Paul R. Woods, Commissioner

By: Rick Yzaguirre, Commissioner

ATTEST:

J. David Navarro, Ada County Clerk

PUBLISHED: _____