

CITY OF MERIDIAN

ORDINANCE NO. 21-1938

BY THE CITY COUNCIL:

**BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER**

AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CERTAIN CITY OWNED REAL PROPERTY TO THE ADA COUNTY HIGHWAY DISTRICT FOR RIGHT OF WAY PURPOSES CONSISTING OF APPROXIMATELY .547 ACRES LOCATED AT DISCOVERY PARK, 2121 E. LAKE HAZEL ROAD ADJACENT TO THE PROPOSED APEX SUBDIVISION, APPROXIMATELY 1,320 FEET TO THE EAST OF S. LOCUST GROVE ROAD IN ADA COUNTY IDAHO; AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST ON BEHALF OF THE CITY OF MERIDIAN THE DEED AND OTHER DOCUMENTS NECESSARY TO COMPLETE THE TRANSACTION; PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Idaho Code 50-1401, the City Council has statutory authority to sell, exchange, or convey any real property owned by the city which is underutilized or which is not used for city public purposes; and,

WHEREAS, when it is determined by the City Council to be in the City's best interest, the Council may by Ordinance duly enacted, authorize the transfer or conveyance of the real property to any tax supported governmental entity without compensation; and,

WHEREAS, the proposed transaction would result in the disposition of real property that is no longer needed for City purposes; and,

WHEREAS, a public hearing was held at the regular meeting of the Meridian City Council on September 7th, 2021 and at the conclusion of said hearing, the City Council moved to approve the conveyance of the property, subject to certain terms and conditions, and directed staff to bring forth this Ordinance authorizing the conveyance.

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

Section 1. That a public hearing on the proposed conveyance was held at the September 7, 2021 meeting of the Meridian City Council.

Section 2. That the City Council determined after the public hearing that the subject property is no longer needed for City purposes and that it is in the City's best interest to transfer the real property to the Ada County Highway District without compensation.

Section 3. That the City Council has reviewed and approved the legal description of the Subject Property as identified and depicted on the attached Exhibits A and B, incorporated herein by this reference.

Section 4. That the Mayor and City Clerk shall be authorized to execute and attest a standard form warranty deed and any other documents necessary to complete the conveyance authorized by this Ordinance.

Section 5. That all City of Meridian ordinances, or resolutions, or parts thereof, which are in conflict herewith, are hereby repealed.

Section 6. That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and effect upon its passage, approval and publication.

PASSED by the City Council of the City of Meridian, Idaho, this 7th day of September 2021.

APPROVED by the Mayor of the City of Meridian, Idaho, this 7th day of September 2021.

APPROVED:

ATTEST:

Robert E. Simison, Mayor

Chris Johnson, City Clerk

CERTIFICATION OF SUMMARY:

William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that the summary below is true and complete and upon its publication will provide adequate notice to the public.

William L. M. Nary, City Attorney

SUMMARY OF CITY OF MERIDIAN ORDINANCE NO. 21 -1938

An ordinance authorizing the conveyance of approximately .547 acres of city owned real property to the Ada County Highway District for right of way purposes located at Discovery Park, 2121 E. Lake Hazel Road in Ada County Idaho; and adopting a savings clause. A full text of this ordinance is available for inspection at Meridian City Hall, 33 E. Broadway Avenue, Meridian, Idaho. This ordinance shall be effective as of the date of publication of this summary. Ordinance Exhibit B (Map) shall be published as part of this Summary.

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

Exhibit A - 1

A parcel of land being a portion of Government Lot 3, Section 5, Township 2 North, Range 1 East, City of Meridian, Ada County, Idaho being more particularly described as follows:

BEGINNING at a found 5/8-inch rebar marking the Northwest corner of said Government Lot 3, which bears N89°58'28"W a distance of 1,331.88 feet from a found brass cap marking the North 1/4 corner of said Section 5, thence following the northerly line of said Government Lot 3, S89°58'28"E a distance of 69.00 feet;

Thence leaving said northerly line, S00°01'43"E a distance of 77.13 feet;

Thence S89°58'17"W a distance of 69.00 feet to the westerly line of said Government Lot 3;

Thence following said westerly line, N00°01'41"W a distance of 77.20 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 5,324 square feet, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

EXHIBIT B -1
DEPICTION OF REAL PROPERTY

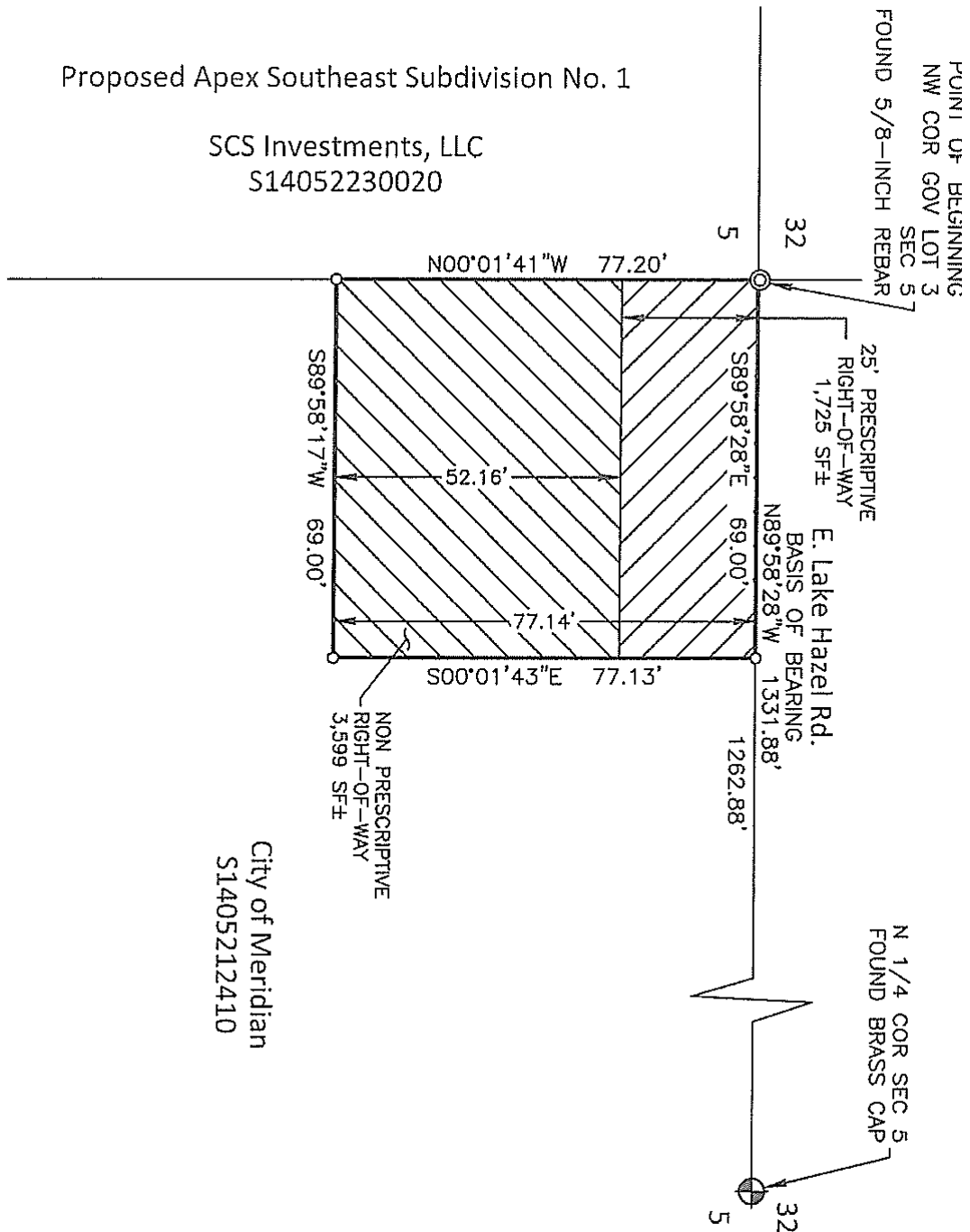


Exhibit A - 2

A parcel of land being a portion of Government Lot 3, Section 5, Township 2 North, Range 1 East, City of Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at a found 5/8-inch rebar marking the Northwest corner of said Government Lot 3, which bears N89°58'28"W a distance of 1,331.88 feet from a found brass cap marking the North 1/4 corner of said Section 5, thence following the westerly line of said Government Lot 3, S00°01'41"E a distance of 77.20 feet to the **POINT OF BEGINNING**.

Thence leaving said westerly line, N89°58'17"E a distance of 69.00 feet;

Thence S00°01'43"E a distance of 156.50 feet;

Thence 180.49 feet along the arc of a curve to the right, said curve having a radius of 223.50 feet, a delta angle of 46°16'08", a chord bearing of S23°06'21"W, and a chord distance of 175.62 feet to said westerly line;

Thence following said westerly line, N00°01'43"W a distance of 318.00 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 18,492 square feet (0.425 acres), more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

EXHIBIT B - 2 DEPICTION OF REAL PROPERTY

