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ADA COUNTY RECORDER J. DAVID NAVARRO  
BOISE IDAHO 01/28/09 10:38 AM  
DEPUTY Bonnie Oberbillig  
RECORDED-REQUEST OF  
Kuna City

AMOUNT .00

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TECHNICAL SUPPORT

ORDINANCE NO. 2009-07

**AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL S1406325625, SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO, AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, TO THE CITY OF KUNA, IDAHO; ESTABLISHING THE ZONING CLASSIFICATION OF SAID REAL PROPERTY; DIRECTING THAT COPIES OF THIS ORDINANCE BE FILED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the City of Kuna, Idaho is a municipal corporation organized and operating under the laws of the State of Idaho and is authorized to annex to and incorporate within the boundaries of the City contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, M-7 Development, owners of the parcel of real property situate in the unincorporated area of Ada County and particularly described in Section 2 of this ordinance has requested, in writing, annexation of said real property to the City of Kuna; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on July 29, 2008, as required by Section 67-6525, Idaho Code, where it was recommended to the Mayor and Council that the annexation and zoning request be approved with a zoning classification of C-2, Area Business District; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on September 2, 2008 on the proposed annexation and zoning for the real property described in Section 2 below, as required by Section 67-6525, Idaho Code, made findings and determined that the requested annexation should be granted with a zoning classification of C-2, Area Business District; and

WHEREAS, the zoning classification C-2 is appropriate to meet the requirements of the Kuna City Code and should be granted.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, IDAHO, as follows:

Section 1: The Kuna City Council hereby finds and declares that the real property described below is contiguous to the City, that said property can be reasonably assumed to be used for the orderly development of the City, and that the owners of said property have requested, in writing, annexation thereof to the City.

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Section 2: The real property, all situated in Ada County, Idaho, adjacent and contiguous to the City, commonly known as Parcel No. S1406325625 and more particularly described in "Exhibit A"- Legal Description and "Exhibit B"- Site Map, attached hereto and incorporated herein by reference as if fully set forth below, is annexed to and incorporated in the incorporated territorial limits of the City of Kuna, Idaho.

Section 3: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory described above shall be subject to all ordinances, resolutions, police regulations, taxation, and other powers of the City of Kuna.

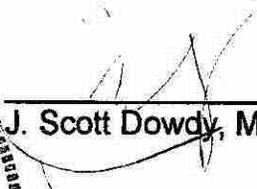
Section 4: The zoning land use classifications of the land described in Section 2 above is hereby established as C-2, Area Business District as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the C-2 zoning land use classification.

Section 5: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this Ordinance, a certified copy of this Ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada County, Idaho, and with the Idaho State Tax commission, Boise, Idaho, as required by Section 50-223, Idaho Code, and to comply with the provisions of Section 63-215, Idaho Code, with regard to the preparation and filing of a map and legal description of the real property annexed by this Ordinance.

Section 6: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section 50-901A, Idaho Code, may be published.

DATED this 20th day of January, 2009.

CITY OF KUNA  
Ada County, Idaho

  
\_\_\_\_\_  
J. Scott Dowdy, Mayor

ATTEST:

  
\_\_\_\_\_  
Lynda Burgess, City Clerk



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**M7 DEVELOPMENT, LLC  
DESCRIPTION  
January 9, 2009**

A parcel of land lying in the Northwest ¼ of the Southwest ¼ of Section 6, Township 2 North, Range 1 East of the Boise Meridian, said parcel being more particularly described as follows:

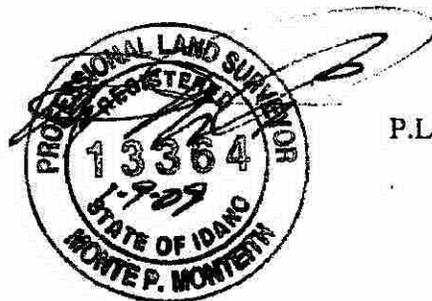
Beginning at the West ¼ corner of said Section 6, said point being marked with a aluminum cap set in the surface of Meridian Road in the centerline thereof and from said point run S89°22'09"E along the North line of said N.W. ¼ of the S.W. ¼ of said Section 6 a distance of 60.00 feet to a 5/8 inch rebar marking the Northeast corner of the subject property and the **True Point of Beginning**;

Thence continuing S89°22'09"E along the North line of said N.W. ¼ of the S.W. ¼ of said Section 6 a distance of 798.72 feet to a 5/8 inch rebar; thence S00°28'47"W a distance of 645.00 feet to a 5/8 inch rebar; thence S89°22'09"E parallel with first said North line of said N.W. ¼ of the S.W. ¼ of said Section 6 a distance of 350.00 feet to a 5/8 inch rebar; thence S00°28'47"W 130.68 feet to a 5/8 inch rebar; thence N89°16'49"W 1114.36 feet to a 5/8 inch rebar set on the Easterly right-of-way line of first said Meridian Road; thence N00°53'50"E 233.64 feet to a 3" brass disc, said point being 100.00 feet Easterly of, when measured at right angles to, the centerline of said Meridian Road; thence N05°37'21"W 352.28 feet to a 3 inch brass disc, said point being 60.00 feet easterly of, when measured at right angles to, first said centerline; thence N00°53'50"E 190.13 feet to the **True Point of Beginning**; all in Ada County, Idaho.

This parcel contains 14.924 acres, more or less, based on calculations using the double meridian distance method.

Bearings herein used are based on the West line of said Section 6 bearing N00°53'50"E between the Southwest corner and the West ¼ corner thereof.

Monte P. Monteith



P.L.S. 13364

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# Vicinity Map

