

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 10/09/09 11:11 AM
DEPUTY Bonnie Oberbillig
RECORDED - REQUEST OF
Kuna City

199
AMOUNT .00 4



ORDINANCE NO. 2009-23

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL NUMBER S1322110050, 1233 N. TEN MILE RD., KUNA, IDAHO, 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's contiguous real property in the manner provided by Section §50-222, Idaho Code; and

WHEREAS, ELEANOR ADKINS, owner 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 Section §67-6525, Idaho Code, held a public hearing on August 12, 2009, where it was recommended to the Mayor and Council that the annexation and zoning request be approved with a zoning classification of R-4, Low Density Residential District; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on September 15, 2009 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 the zoning classification of R-4, Low Density Residential District; and

WHEREAS, the zoning classification of R-4, Low Density Residential District 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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TECHNICAL SUPPORT

Section 2: The real property, all situated in Ada County, Idaho, adjacent and contiguous to the City, commonly known as Parcel Number S1322110050, 1233 N. Ten Mile Rd., Kuna, Idaho 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.

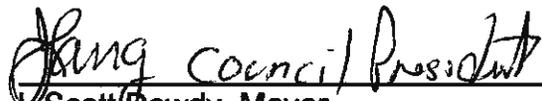
Section 4: The zoning land use classification of the land described in Section 2 above is hereby established as R-4, Low Density Residential District, as provided by the Zoning Ordinance of the City. The Comprehensive Plan and Zoning Map of the City are hereby amended to include the real property described in Section 2 above in the Agricultural 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.

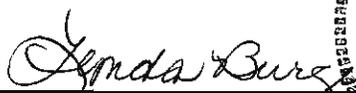
Section 6: This Ordinance shall take effect and be in force from and after its passage, approval, and publication as required by law. In lieu of publication of the entire ordinance, a summary thereof in compliance with Section §50-901A, Idaho Code, may be published.

Adopted this 6th day of October, 2009 by the City Council of the City of Kuna.

CITY OF KUNA
Ada County, Idaho


J. Scott Dowdy, Mayor

ATTEST:


Lynda Burgess, City Clerk



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**BOUNDARY DESCRIPTION
FOR
ELEANOR ADKINS

ANNEXATION PARCEL**

A parcel located in the NE ¼ of the NE ¼ of Section 22, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the northeasterly corner of said NE ¼ of the NE ¼ from which an aluminum cap monument marking the southeasterly corner of the NE ¼ of said Section 22 bears S 0°04'25" W a distance of 2643.25 feet;

Thence S 0°04'25" W along the easterly boundary of said NE ¼ of the NE ¼ a distance of 988.27 feet (of record as S 0°00'23" E a distance of 988.28 feet) to a 5/8 inch diameter iron pin and the POINT OF BEGINNING;

Thence continuing S 0°04'25" W a distance of 333.34 feet (of record as S 0°00'23" E a distance of 335.42 feet) to a 5/8 inch diameter iron pin marking the southeasterly corner of said NE ¼ of the NE ¼;

Thence N 89°30'43" W along the southerly boundary of said NE ¼ of the NE ¼ a distance of 997.53 feet (of record as N 89°33'42" W a distance of 998.00 feet) to a ½ inch diameter iron pin;

Thence leaving said southerly boundary N 0°22'03" E a distance of 670.32 feet (of record as N 0°17'15" E a distance of 671.87 feet) to a ½ inch diameter iron pin;

Thence S 89°28'53" E a distance of 321.86 feet (of record as S 89°33'41" E a distance of 323.16 feet) to a point on the centerline of the Ramsey Lateral;

Thence S 31°40'38" E long said centerline a distance of 397.45 feet (of record as S 31°40'09" E a distance of 396.82 feet) to a point;

Thence leaving said centerline S 89°27'59" E a distance of 463.08 feet (of record as S 89°31'17" E a distance of 463.09 feet) to the POINT OF BEGINNING.

This parcel contains 10.93 acres and is subject to any easements existing or in use.

Prepared by: Glenn K. Bennett, PLS
Civil Survey Consultants, Inc.
January 14, 2009



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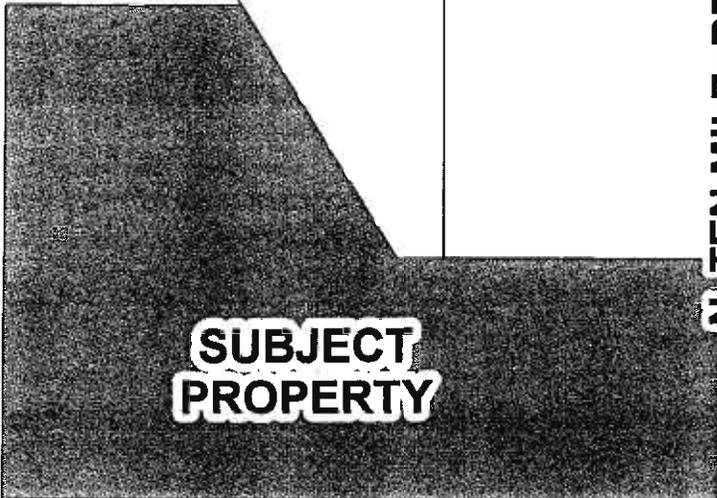
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TECHNICAL SUPPORT
EXHIBIT A

**ORDINANCE 2009-23
EXHIBIT B**

W-DEER FLAT-RD

N-CABRILLO-AVE

N-TEN-MILE-RD



**SUBJECT
PROPERTY**

W-SECLUDED-CT

