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**ORDINANCE NO. 2009-24**

**AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCELS S1235346600, S1235438411, S1235449215 & R8468870305; MERIDIAN, 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 contiguous real property in the manner provided by Section 50-222, Idaho Code; and

WHEREAS, City of Kuna, owner of the parcels 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 August 26, 2009, 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 P, PUBLIC; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on October 6, 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 a zoning classification of P, PUBLIC; and

WHEREAS, the zoning classification of PUBLIC 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 owner 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 Parcels S1235346600, S1235438411, S1235449215 & R8468870305 and more particularly described in "Exhibit A-D"- Legal Descriptions and "Exhibit E"- 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.

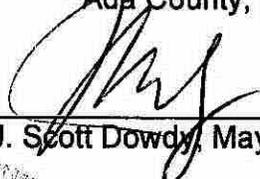
Section 4: The zoning land use classifications of the land described in Section 2 above is hereby established as P, PUBLIC as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the P zoning land use classification.

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.

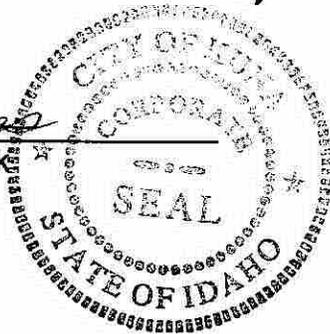
DATED this 20th day of October, 2009.

CITY OF KUNA  
Ada County, Idaho

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

ATTEST:

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



P - PUBLIC  
PARCEL ONE

Part of the South 1/2 of the Southwest 1/4 of Section 35, Township 3 North, Range 1 West of the Boise Meridian, Ada County, Idaho described as:

Commencing at the Southwest corner of Section 35, Township 3 North, Range 1 West of the Boise Meridian, Ada County, Idaho and running thence  
South 89°47'59" East 2033.76 feet along the South line of said Section to the POINT OF BEGINNING; thence  
North 00°10'24" East 690.54 feet; thence North 89°47'59" West 1199.05 feet; thence  
North 00°04'23" East 225.48 feet; thence North 89°46'00" West 787.91 feet; thence  
North 00°04'23" East 195.87 feet; thence North 89°59'09" East 160.72 feet; thence  
North 00°10'07" East 209.31 feet to an existing fence line; thence  
North 89°02'19" East 226.24 feet along said fence line; thence  
South 89°54'33" East 2207.60 feet along said fence line to a point on the Center North-South line of said Section; thence  
South 00°07'26" West 5.90 feet to the Center-South 1/16 corner of said Section; thence  
South 00°06'15" West 1324.70 feet along the Center North-South line of said Section to the South Quarter corner of said Section; thence  
North 89°47'59" West 608.39 feet along the South line of said Section to the POINT OF BEGINNING.

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P - PUBLIC  
PARCEL TWO

That portion of Lot 3 in Block 1 of TITUS SUBDIVISION, according to the official plat thereof, filed in Book 77 of Plats at Pages 8143 and 8144, records of Ada County, Idaho, more particularly described as follows:

Beginning at the Southeast corner of Section 35, Township 3 North, Range 1 West of the Boise-Meridian, Ada County, Idaho and running thence  $N89^{\circ}45'15''W$  1973.33 feet along the South line of said Section; thence  $N00^{\circ}04'42''E$  48.00 feet to a point on the East line of Lot 3 of TITUS SUBDIVISION (said point being THE POINT OF BEGINNING); thence  $N89^{\circ}45'15''W$  369.87 feet to a point on the West line of said Lot; thence  $N00^{\circ}13'48''E$  387.60 feet along said West line to the Northeast corner of Lot 2 of said Subdivision; thence  $N89^{\circ}45'15''W$  310.79 feet to the Northwest corner of Lot 1 of said Subdivision; thence  $N00^{\circ}06'15''E$  889.10 feet along the West line of Lot 3 of said Subdivision to the Northwest corner of said Lot; thence  $S89^{\circ}43'00''E$  679.21 feet along the North line of said Lot to the Northeast corner of said Lot; thence  $S00^{\circ}04'42''W$  1275.26 feet along the East line of said Lot to the POINT OF BEGINNING.

P - PUBLIC  
PARCEL THREE

Part of the South Half of the Southeast Quarter of Section 35, Township 3 North, Range 1 West of the Boise-Meridian, Ada County, Idaho described as:

Beginning at the Southeast corner of Section 35, Township 3 North, Range 1 West of the Boise-Meridian, Ada County, Idaho and running thence  
North 89°45'15" West 1326.57 feet along the South line of said Section; thence  
North 00°03'49" East 48.00 feet to the Point of Beginning; thence  
North 89°45'15" West 646.75 feet to a point on the East line of Lot 3 of Titus  
Subdivision; thence  
North 00°04'42" East 1275.26 feet along said East line to the Northeast corner of said  
Lot; thence  
South 89°43'00" East 646.43 feet; thence  
South 00°03'49" West 1275.84 feet to the point of beginning.

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EXHIBIT D

P - PUBLIC  
PARCEL FOUR

Part of the South Half of the Southeast Quarter of Section 35, Township 3 North, Range 1 West of the Boise-Meridian, Ada County, Idaho described as follows:

Beginning at the Southeast corner of Section 35, Township 3 North, Range 1 West of the Boise-Meridian, Ada County, Idaho and running thence  
North 89°45'15" West 48.00 feet along the South line of said Section; thence  
North 00°01'23" East 549.94 feet to the Point of Beginning; thence  
North 89°45'15" West 791.89 feet; thence  
South 00°03'49" West 501.94 feet; thence  
North 89°45'15" West 486.29 feet; thence  
North 00°03'49" East 1275.04 feet; thence  
South 89°43'40" East 1277.64 feet; thence  
South 00°01'23" West 773.31 feet to the point of beginning.

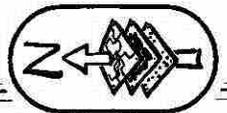
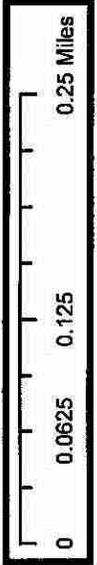
# ORDINANCE 2009-24 EXHIBIT E

**SUBJECT  
PROPERTY(S)**

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TECHNICAL SUPPORT



W. BALLARD LN

W. BERRYMAN LN

S. TEN MILE RD

W. JARVIS CT

S. LINDER RD

W. LAKE HAZEL RD

S. DURRANT LN

