ADA COUNTY RECORDER J. DAVID NAVARRO AMOUNT .00 5
BOISE IDAHO 10/22/09 10:47 AM
DEPUTY Lisa Batt
RECORDED-REQUEST OF
Kuna City
109119857
208

ORDINANCE NO. 2009-25

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCELS R6934730210, R6934730350 & R6934730320; 5875 S. LINDER RD., 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, Richard Sr. and Mary Jarvis, owners 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 A, Agriculture and R-4, Medium Density Residential; 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 A, Agriculture and R-2, Low Density Residential; and

WHEREAS, the zoning classification of A and R-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

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the owners of said property have requested, in writing, annexation thereof to the City.

Section 2: The real property, all situated in Ada County, Idaho, adjacent and contiguous to the City, commonly known as Parcels R6934730210, R6934730350 & R6934730320 and more particularly described in "Exhibit A"- Legal Description for A, Agriculture and "Exhibit B" for R-2, Low Density Residential lands and "Exhibit C"- 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 A, Agriculture and R-2, Low Density Residential 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 A and R-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 October, 2009.

CITY OF KUNA
Ada County, Idaho

J. Scott Dowdy, Mayor

CITY OF KUNA CORPORATE SEAL STATE OF IDAHO

ATTEST:

Lynda Burgess, City Clerk

A - Agriculture
Parcel One and Two

A parcel of land consisting of Lots 17 & 28, Block 1, of Patriot Ridge Estates Subdivision, as filed for record in Book 60 of Plats at Page 6017, records of Ada county, Idaho, said parcel being located in the SE ¼ of Section 35, T.3N., R1W., B.M., Ada County, Idaho, and being more particularly described as follows:

Commencing at the East ¼ corner of said Section 35, said point also being on the east boundary of said Patriot Ridge Estates Subdivision, and from which the NE corner of said Section 35 bears North 00°40'39" East, 2074.84 feet; thence along the east boundary of said Section 35 and of said Patriot Ridge Estates Subdivision South 00°28'23" West, 1323.66 feet to the southeast corner of said Patriot Ridge Estates Subdivision; thence along the south boundary of said Patriot Estates Subdivision North 89°16'44" West, 361.00 feet to the southeast corner of said Lot 28, the **REAL POINT OF BEGINNING.**

Thence continuing along said south boundary North 89°16'44" West, 2290.09 feet to the southwest corner of said Patriot Ridge Estates Subdivision;

Thence along the west boundary of said Patriot Ridge Estates Subdivision North 00°34'34" East, 1324.52 feet to the northwest corner of said Lot 17, Block 1;

Thence along the north boundary of said Lot 17 South 89°15'37" East, 1279.96 fee tto the northeast corner of said Lot 17;

Thence along the east boundary of said Lot 17 South 00°40'39" West, 541.08 feet to the northwest corner of said Lot 28;

Thence along the north boundary of said Lot 28 South 89°15'37" East, 1009.68 feet to the northeast corner of said Lot 28;

Thence along the east boundary of said Lot 28 South 00°28'23" West, 782.68 fee to the **POINT OF BEGINNING.**

Containing 56.99 acres, more or less.

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R2 – Low Density Residential
Parcel Three

A parcel of land consisting of Lot 26, Block 1, of Patriot Ridge Estates Subdivision, as filed for record in Book 60 of Plats at Page 6017, records of Ada County, Idaho, said parcel being located in the SE ¼ of Section 35, T.3N., R.1W., B.M., Ada County, Idaho, and being more particularly described as follows:

Commencing at the East ¼ corner of said Section 35, said point also being on the east boundary of said Patriot ridge Estates Subdivision, and from which the NE corner of said Section 35 bears North 00°40'39" East, 2074.84 feet; thence along the east boundary of said Section and of said Patriot Ridge Estates Subdivision South 00°28'23" West, 1323.66 feet to the southeast corner of said Patriot Ridge Estates Subdivision; thence along the south boundary of said Patriot Ridge estates Subdivision North 89°16'44" West, 30.00 feet o the southeast corner of Lot 27, Block 8 of said Patriot Ridge Estates Subdivision; thence along the east boundary of said Lot 27 North 00°28'32" East, 300.00 feet to the southeast corner of said Lot 26, the **REAL POINT OF BEGINNING.**

Thence along said south boundary of said Lot 26 North 89°15'37" West, 331.00 feet to the southwest corner of said Lot 26;

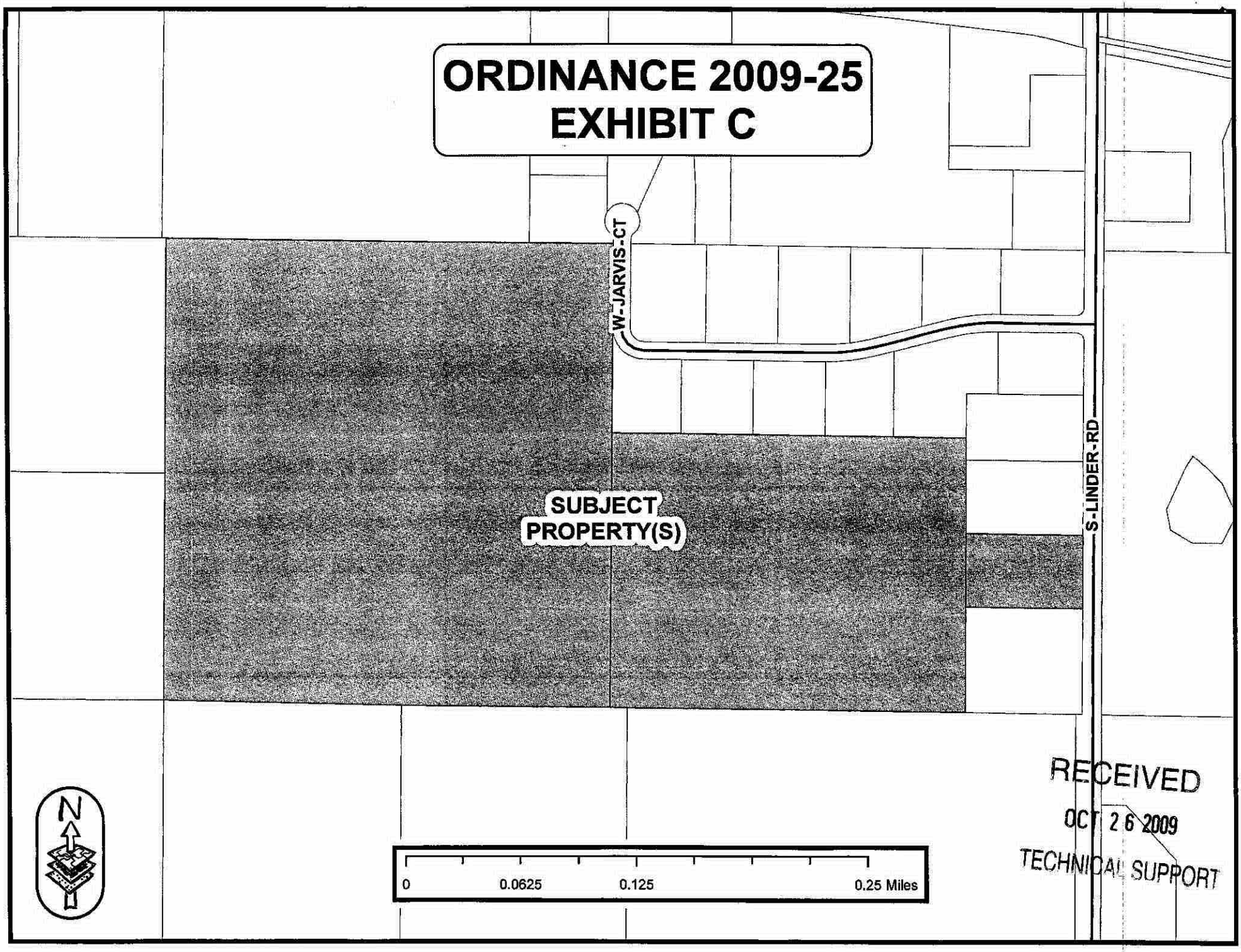
Thence along the west boundary of said Lot 26 North 00°28'23" East, 209.75 feet to the northwest corner of said Lot 26;

Thence along the north boundary of said Lot 26 South 89°15'37" East, 331.00 feet to the northeast corner of said Lot 26;

Thence along the east boundary of said Lot 26 South 00°28'23" West, 209.75 feet to the **POINT OF BEGINNING.**

Containing 1.59 acres, more or less.

ORDINANCE 2009-25
EXHIBIT C



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