

RE-RECORD TO REFLECT
CORRECTED LEGAL DESCRIPTION
IN DOCUMENT NO. 105174681

ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 04/09/09 03:01 PM
DEPUTY Vicki Allen
RECORDED - REQUEST OF
Kuna City

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ORDINANCE NO. 687A

AN ORDINANCE AMENDING ORDINANCE NO 687 ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS SILVERDALE SUBDIVISION, 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, JLJ Enterprises, on behalf of Ronna Martin, the owner of the parcel of real property situate in the unincorporated area of Ada County and particularly described in Section 2 of this ordinance, have 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 March 30, 2004, 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 an R-3 Zoning and subject to a development agreement; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on May 18, 2004 on the proposed annexation and zoning for the real property described in Section 2 below, as required by Section 67-6525, Idaho Code, where the Council made findings and determined that the requested annexation should be granted with the zoning classification of R-3 and be subject to a development agreement; and

WHEREAS, the zoning classification of R-3 is appropriate to meet the requirements of the Kuna City Code, is consistent with the Comprehensive Plan, 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

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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 Silverdale Subdivision, and more particularly described in Paragraph A below and shown on Exhibit "A" 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, and subject to a development agreement.

- A. R-3 Parcel: A parcel of land being a portion of the Northeast ¼ of the Northeast ¼ of Section 14, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Silverdale Subdivision, recorded as Instrument No. 106169971, 27th day of October 2006, Book 96 of plats, page 12018 through 12020, in the Office of the Recorder of County of Ada, State of 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-3 Low Density Residential 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 R-3 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 3rd day of March, 2009.

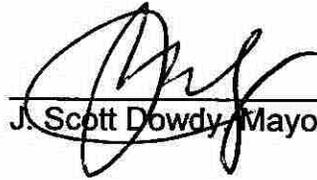
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CITY OF KUNA
Ada County, Idaho



J. Scott Dowdy, Mayor

ATTEST:



Lynda Burgess, City Clerk



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ORDINANCE NO. 687A
EXHIBIT A

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SUBJECT PROPERTY

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