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TECHNICAL SUPPORT

ORDINANCE NO. 687B

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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AN ORDINANCE CORRECTING THE LEGAL DESCRIPTION ATTACHED TO ORDINANCE 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, in 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 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 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, and subject to a development agreement.

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.

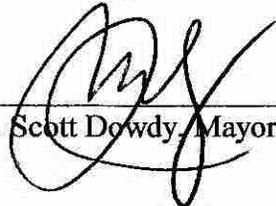
Section 4: The zoning land use classification of the land described in Section 2 above is hereby established as R-3 Low Density Residential District, as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above 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 6th day of January, 2009.

CITY OF KUNA
Ada County, Idaho



J. Scott Dowdy, Mayor

ATTEST:



Lynda Burgess, City Clerk



(12)

LEGAL DESCRIPTION FOR SILVERDALE SUBDIVISION:

A parcel of land being a portion of Lot 3, Block 1 of Tukila Meadow Subdivision, located in the northeast $\frac{1}{4}$ of the northeast $\frac{1}{4}$ of Section 14, Township 2 North, Range 1 West, Boise Meridian, City of Kuna, Ada County, Idaho more particularly described as follows:

Commencing at a found aluminum cap, corner record #102129849 marking the northeast corner of said Section 14.

Thence South $00^{\circ}03'27''$ West (formerly South $0024'36''$ East) coincident with the east line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 14 and coincident with the east line of Tukila Meadow Subdivision as shown in Book 62 of plats at page 6188, Ada County Records a distance of 953.71 feet to a point;

Thence North $89^{\circ}33'29''$ West 35.00 feet to a set $5/8''$ rebar/cap PLS 5461 on the north line of Lot 3, Block 1 of Tukila Meadow Subdivision said point being on the westerly right-of-way line of North Linder Road and said point being the **Point of Beginning**;

Thence South $00^{\circ}03'27''$ West coincident with the said westerly right-of-way line of North Linder Road, 204.43 feet to a set $5/8''$ rebar/cap PLS 5461 at an angle point in the southerly boundary of said Lot 3, Block 1 of Tukila Meadow Subdivision;

Thence North $89^{\circ}32'42''$ West Coincident with the said southerly line of Lot 3, Block 1 of Tukila Meadow Subdivision, 231.03 feet to a set $5/8''$ rebar/cap PLS 5461 at an angle point in the easterly boundary of said Lot 3 Block 1 of Tukila Meadow Subdivision;

Thence South $00^{\circ}03'31''$ West Coincident with the said easterly line of Lot 3 Block 1 of Tukila Meadow Subdivision. 163.83 feet (formerly 163.76 feet) to the southeast corner of said Lot 3 Block 1 Tukila Meadow Subdivision from which a set $5/8''$ rebar/cap PLS 5461 marking a witness corner bears North $00^{\circ}03'31''$ East, 1.00 feet;

Thence North $89^{\circ}33'26''$ West coincident with the southerly line of said Lot 3, Block 1 of Tukila Meadow Subdivision, 1052.14 feet to a set $5/8''$ rebar/cap PLS 5461 at the southwest corner of said Lot 3, Block 1 of Tukila Meadow Subdivision;

Thence North $00^{\circ}05'28''$ East coincident with the west line of said Lot 3, Block 1 of Tukila Meadow Subdivision, 368.19 feet to a set $5/8''$ rebar/cap PLS 5461 at the northwest corner of said Lot 3, Block 1 of Tukila Meadow Subdivision;

Thence South $89^{\circ}33'29''$ East coincident with the north line of said Lot 3 Block 1, Tukila Meadow Subdivision, 1282.96 feet to the **Point of Beginning**.

The Parcel above described contains 9.97 acres more or less.

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EXHIBIT A

W_HUBBARD_RD

N_KELSAN_AVE

W SILVERDALE CT

N_LINDER_RD

W_QUAKING ASPEN LN

W HORSECHESTNUT WAY