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ADA COUNTY RECORDER J. DAVID NAVARRO
BOISE IDAHO 02/05/09 10:38 AM
DEPUTY Lisa Irby
RECORDED - REQUEST OF
Kuna City

AMOUNT .00

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RECEIVED

RE-RECORD TO REFLECT
CORRECTED LEGAL DESCRIPTION

ORDINANCE NO. 717A

FEB 09 2009

TECHNICAL SUPPORT

AN ORDINANCE AMENDING ORDINANCE NO. 717 ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS THE MINERAL SPRINGS SUBDIVISION NO. 2, AKA GEM STATE 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, STKR Investments, 3585 W. State Street, Eagle, ID 83705, 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 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 April 26, 2005, where such public hearing was tabled until May 31, 2005, 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 zoning classifications of R-6, Medium-Low Density Residential District and C-1, Neighborhood Business District; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on July 5, 2005 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 classifications of R-6 and C-1; and

WHEREAS, the zoning classifications of R-6 and C-1 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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Section 2: The following real property, all situated in Ada County, Idaho, adjacent and contiguous to the City, commonly known as the Mineral Springs Subdivision No. 2, AKA Gem State Subdivision, more particularly described in Paragraphs A and B 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.

- A. R-6 Parcel: A parcel of land situate in the east half of the southwest quarter of Section 14, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho.

Mineral Springs Subdivision No. 2, recorded as Instrument No. 107049051, 6th day of April 2007, Book 97 of plats, pages 12332 through 12334, in the Office of the Recorder of County of Ada, State of Idaho.

- B. C-1 Parcel: A parcel of land situate in the northeast quarter of the southwest quarter of Section 14, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho.

Mineral Springs Subdivision No. 2, recorded as Instrument No. 107049051, 6th day of April 2007, Book 97 of plats, pages 12332 through 12334, 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.

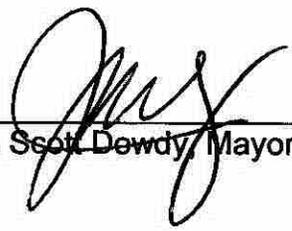
Section 4: The zoning land use classifications of the land described in Section 2 above is hereby established as R-6, Medium-Low Density Residential District and C-1, Neighborhood Business District as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the real property described in Section 2 above in the R-6 zoning land use classifications.

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.

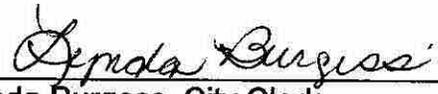
DATED this 3rd day of February, 2009.

CITY OF KUNA
Ada County, Idaho



J. Scott Dewdy, Mayor

ATTEST:



Lynda Burgess, City Clerk



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FEB 09 2009
TECHNICAL SUPPORT

