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DEC 30 2011

TECHNICAL SUPPORT

ADA COUNTY RECORDER Christopher D. Rich  
BOISE IDAHO 12/27/11 03:27 PM  
DEPUTY Bonnie Oberbillig  
RECORDED - REQUEST OF  
Kuna City

AMOUNT .00 4



177

**ORDINANCE NO. 2011-32**

**AN ORDINANCE AMENDING ORDINANCE NO. 630, ADOPTED ON APRIL 14, 2003, ESTABLISHING THAT THE 2006 MAP CORRECTLY IDENTIFIED THE PROPERTY ANNEXED INTO THE CITY; TO CORRECT ERRORS IN THE LEGAL DESCRIPTIONS REGARDING THE ANNEXATION OF CERTAIN REAL PROPERTY(S), NOW KNOWN AS PARCELS R1610600610, R1610600620, R1610600630 & R1610600640; WEST ARDELL RD. AND NORTH RUBINE LN., KUNA, IDAHO, SITUATED IN ADA COUNTY, IDAHO, 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, Watkins Arnold C. & Delores Trust are the owners of certain real property situated in Ada County and particularly described in Section 2 of this ordinance; and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by Section §67-6525, Idaho Code, held a public hearing on November 12, 2002, where it was recommended to the Mayor and Council that the annexation and zoning request be approved with a zoning classification of R-3, Low Density Residential; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on March 10, 2003 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 classification of R-3, Low Density Residential; and

WHEREAS, on April 14, 2003, the City Council passed ordinance 630 with a map attached as an exhibit depicting the area annexed into the City and this map correctly described the property annexed into the City; and

WHEREAS, on April 14, 2003, ordinance 630 had an incorrect legal description of the property to be annexed; and

WHEREAS, on May 1, 2003, the Idaho State Tax Commission provided a letter to the City confirming the map and legal provided with ordinance 630 was correct; and

WHEREAS, this amendment is necessary to correct the legal description of the property to reflect the properly annexed parcels into the City in 2003, so it conforms with the map and intent of the City; and

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 map attached as Exhibit B to ordinance 630 correctly identified the property annexed into the City in 2003.

Section 2: The real property, all situated in Ada County, Idaho, City of Kuna 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 the property as heretofore annexed into and incorporated into the city of Kuna, Idaho.

Section 3: The zoning land use classifications of the land described in Section 2 above is hereby established as R-4, 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 R-4 zoning land use classification.

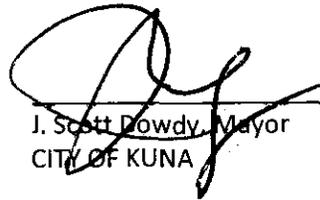
Section 4: From and after the effective date of this ordinance, all property and persons within the boundaries and territory described above shall be subject to all ordinances, resolutions, police regulations, taxation, and other powers of the City of Kuna.

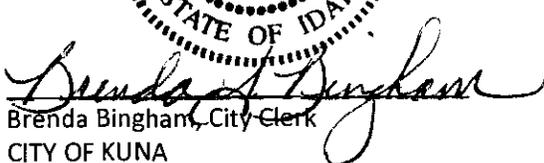
Section 5: The City Clerk is hereby directed to file, within ten (10) days of passage and approval of this ordinance, a certified copy of this ordinance with the offices of the Auditor, Treasurer, and Assessor of Ada County, Idaho, and with the Idaho State Tax commission, Boise, Idaho, as required by 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 16<sup>th</sup> day of December, 2011.

CITY OF KUNA  
Ada County, Idaho

  
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J. Scott Dowdy, Mayor  
CITY OF KUNA

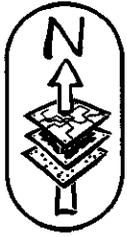
ATTEST:  
  
  
Brenda Bingham, City Clerk  
CITY OF KUNA

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**ORDINANCE 2011-32  
EXHIBIT A  
LEGAL DESCRIPTION**

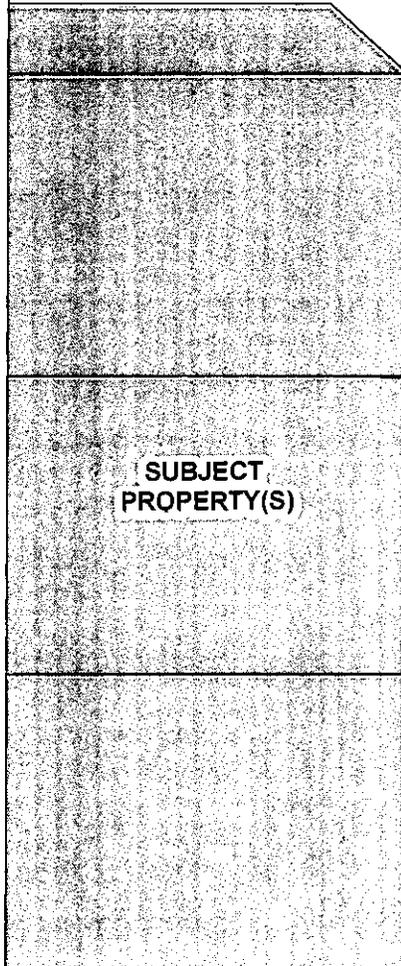
Lots 1-4 Block 21 of Crimson Point #4 recorded in Book 96 page 11874-11877 of Ada County Book of Plats in the Ada County Recorder's Office.

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**ORDINANCE 2011 - 32**  
**EXHIBIT B**

W ARDELL RD

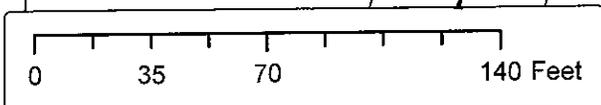


SUBJECT  
PROPERTY(S)

N RUBINE LN

W MARIBIN DR

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MCO