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**ORDINANCE NO. 2016-02  
CITY OF KUNA, IDAHO**

**AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NUMBER S1428111000; 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, the owner of the parcel of real property situated in the unincorporated area of Ada County and as more 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 July 28, 2015, as required by Section 67-6525, Idaho Code, made findings (approved by the Commission on August 11, 2015) where it was recommended to the Mayor and Council that the annexation and zoning request be approved with a zoning classification of Agricultural; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on November 4, 2015, 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 (approved on December 1, 2015) where it determined that the requested annexation should be granted with a zoning classification of Agricultural; and

WHEREAS, the zoning classification of Agricultural 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:

REC'D MAR 18 2016

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 owner of said property has requested, in writing, annexation thereof to the City.

Section 2: The real property, situated in Ada County, Idaho, is adjacent and contiguous to the City, commonly known as Parcel Number S1428111000, and more particularly described in "Exhibit A" – Legal Description and "Exhibit B" –Location Map, attached hereto and incorporated herein by reference, 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 Agricultural, 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 Agricultural, 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 2nd day of February 2016.

ATTEST:

CITY OF KUNA, Ada County, Idaho

  
Chris Engels, City Clerk



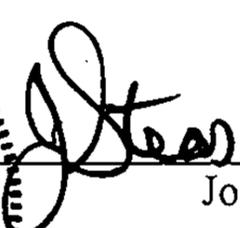
  
Joe L. Stear, Mayor

EXHIBIT A

**ANNEXATION DESCRIPTION FOR  
HEIMBUCH PROPERTY**

A parcel of land located in the NE 1/4 of the NE 1/4 of Section 28, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho being more particularly described as follows:

**BEGINNING** at a brass cap monument marking the NE of said Section 28;

Thence along the East boundary line of said Section 28 South 00°40'13" West, 2662.87 feet a 5/8" iron pin marking the E1/4 corner of said Section 28;

Thence along said the East-West centerline of said Section 28 North 89°38'03" West, 2641.38 feet to a 1/2" iron pin marking the C1/4 corner of said Section 28;

Thence along the North-South centerline of said Section 28 North 00°40'50" East, 1328.99 feet to a 5/8" iron pin marking the C-N1/16 corner of said Section 28;

Thence continuing along the North-South centerline of said Section 28 North 00°43'17" East, 1292.51 feet to a point on the northerly right-of-way line of W. Kuna Road;

Thence along said northerly right-of-way line North 80°04'27" East, 208.44 feet to a point on the North boundary line of said Section 28;

Thence along said North boundary line South 89°43'53" East, 2435.12 feet to the **POINT OF BEGINNING**. Containing 161.22 acres, more or less.

