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KUNA CITY ORDINANCE NO. 2016-14

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. S1315427802 AND PARCEL NO. S1315427820 SITUATED IN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA INTO 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 into 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 22, 2014, as required by Section 67-6525, Idaho Code, made findings (approved by the Commission on August 12, 2014) where it was recommended to the Mayor and Council that the annexation and zoning request be approved with a zoning classification of R-6 for Parcel No. S1315427820, and a zoning classification of A for Parcel No. S1315427802; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on September 02, 2014, 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 September 16, 2014) where it determined that the requested annexation should be granted with a zoning classification R-6; and

WHEREAS, the zoning classification of R-6 for Parcel No. S1315427820 and a zoning classification of A for Parcel No. S1315427802 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 owner of said property has 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 Parcel No. **S1315427802** and Parcel No. **S1315427820**; 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 R-6 for Parcel No. S1315427820 and a zoning classification of A for Parcel No. S1315427802, 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 and A, 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 7th day of June, 2016.

CITY OF KUNA
Ada County, Idaho



Joe L. Stear, Mayor

ATTEST:


Chris Engels, City Clerk



**EXHIBIT A
LEGAL DESCRIPTION FOR
KIRKPATRICK ANNEXATION**

A parcel of land located in the NW 1/4 of the SE 1/4 of Section 15, T.2N., R.1W., B.M., Ada County, Idaho more particularly described as follows:

BEGINNING at the C-E1/16 corner of said Section 15 from which the C1/4 corner bears North 89°51'09" West, 1324.38 feet;

thence along the West boundary line of McClure Subdivision as filed in Book 58 of Plats at Pages 5637 and 5638, records of Ada County, Idaho, South 00°01'19" West, 798.00 feet to the NE corner of Lot 1, Block 25 of Crimson Point Subdivision Phase 5 as filed in Book 102 of Plats at Pages 13700 through 13705, records of Ada County, Idaho;

thence along said northerly boundary line of said Crimson Point Subdivision Phase 5, North 78°10'29" West, 404.09 feet;

thence leaving said northerly boundary line North 00°23'15" East, 716.22 feet to a point on the East-West centerline of said Section 15;

thence along said East-West centerline South 89°51'09" East, 390.98 feet to the **POINT OF BEGINNING** containing 6.84 acres, more or less.

**EXHIBIT A-1
LEGAL DESCRIPTION FOR
KIRKPATRICK – A ZONE**

A parcel of land located in the NW 1/4 of the SE 1/4 of Section 15, T.2N., R.1W., B.M., Ada County, Idaho more particularly described as follows:

Commencing at the C-E1/16 corner of said Section 15 from which the C1/4 corner bears North 89°51'09" West, 1324.38 feet;

thence along the West boundary line of McClure Subdivision as filed in Book 58 of Plats at Pages 5637 and 5638, records of Ada County, Idaho, South 00°01'19" West, 234.59 feet to the **REAL POINT OF BEGINNING**;

thence continuing along said West boundary line South 00°01'19" West, 563.42 feet to the NE corner of Lot 1, Block 25 of Crimson Point Subdivision Phase 5 as filed in Book 102 of Plats at Pages 13700 through 13705, records of Ada County, Idaho;

thence along said northerly boundary line of said Crimson Point Subdivision Phase 5 North 78°10'29" West, 404.09 feet;

thence leaving said northerly boundary line North 00°23'15" East, 716.22 feet to a point on the East-West centerline of said Section 15;

thence along said East-West centerline South 89°51'09" East, 96.06 feet;

thence leaving said East-West centerline South 00°21'40" West, 233.48 feet;

thence South 89°38'20" East, 296.30 feet to the **REAL POINT OF BEGINNING** containing 5.25 acres, more or less.

**EXHIBIT A-2
LEGAL DESCRIPTION FOR
KIRKPATRICK – R-6 ZONE**

**DESCRIPTION FOR
PARCEL A
KIRKPATRICK PROPERTY**

A parcel of land located in the NW 1/4 of the SE 1/4 of Section 15, T.2N., R.1W., B.M., Ada County, Idaho more particularly described as follows:

BEGINNING at the C-E1/16 corner of said Section 15 from which the C1/4 corner bears North 89°51'09" West, 1324.38 feet;

thence along the West boundary line of McClure Subdivision as filed in Book 58 of Plats at Pages 5637 and 5638, records of Ada County, Idaho, South 00°01'19" West, 234.59 feet;

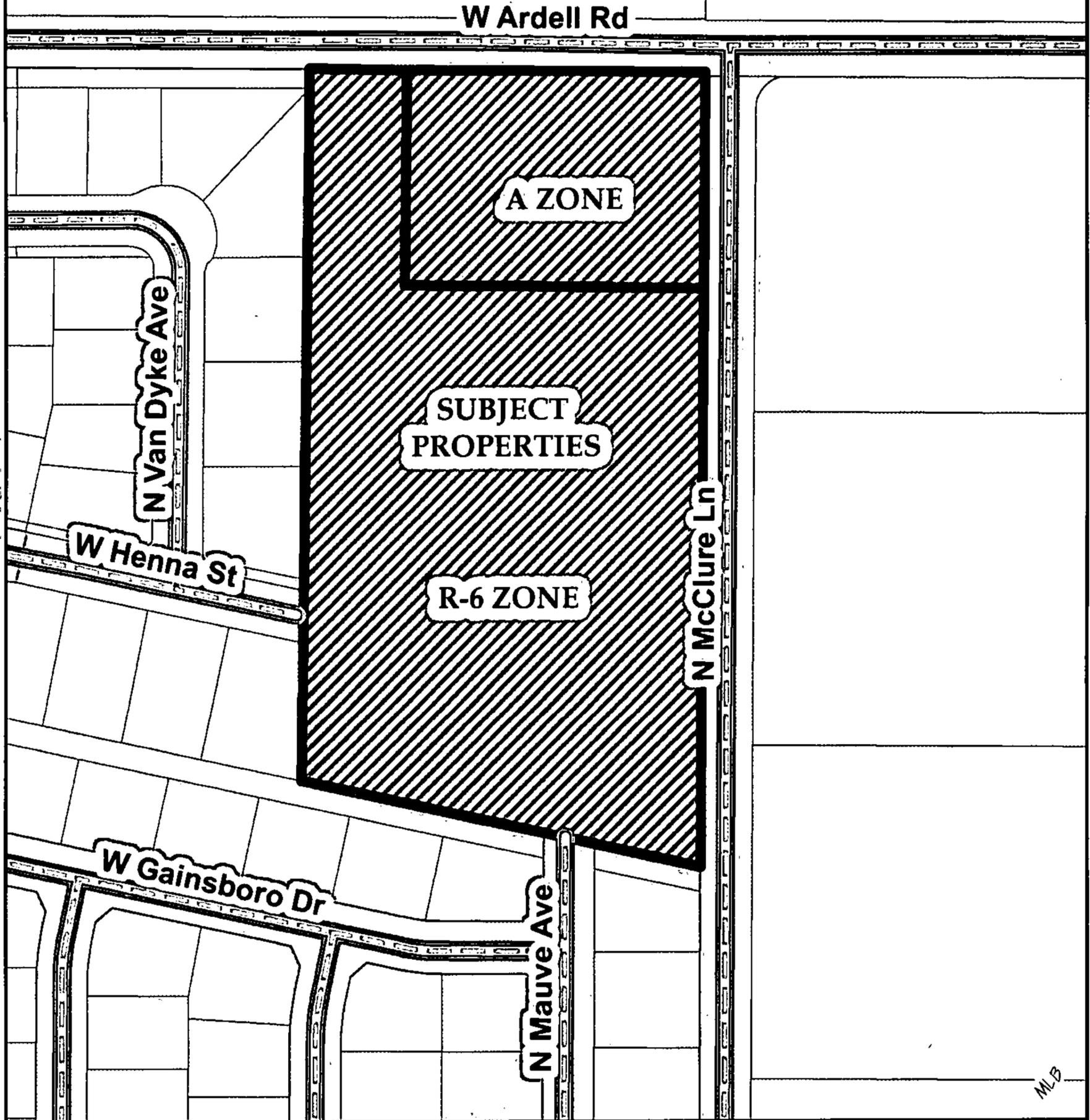
thence leaving said West boundary line North 89°38'20" West, 296.30 feet;

thence North 00°21'40" East, 233.48 feet to a point on the East-West centerline of said Section 15;

thence along said East-West centerline South 89°51'09" East, 294.92 feet to the **POINT OF BEGINNING** containing 1.59 acres, more or less.



EXHIBIT B LOCATION MAP



MLB