



169

(Space above reserved for recording)

KUNA CITY ORDINANCE NO. 2016-26

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, TO WIT: PARCEL NO. R7321000916 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 June 28, 2016, as required by Section 67-6525, Idaho Code, made findings (approved by the Commission on July 12, 2016) where it was recommended to the Mayor and Council that the annexation and zoning request be approved with a zoning classification of R-6; and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on August 2, 2016, 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 August 16, 2016) where it determined that the requested annexation should be granted with a zoning classification R-6; and

WHEREAS, the zoning classification of R-6 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. **R7321000916**; 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, 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 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.

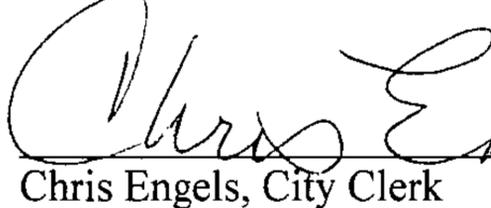
DATED this 16th day of August, 2016.

CITY OF KUNA
Ada County, Idaho



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk

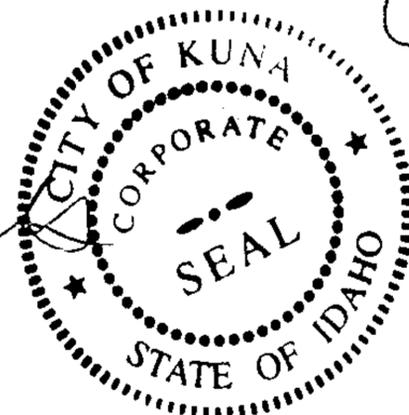


EXHIBIT A

DAVID AUSTAD ANNEXATION

Legal Description

A parcel of land being a portion of Lots 21 through 23 of Rader and Kroeger's Subdivision as filed for record in the office of the Ada County Recorder, Boise, Idaho in Book 5 of Plats at page 205, all lying in the SE 1/4 of Section 27, T.2N., R.1W., B.M. and more particularly described as follows:

Beginning at an iron pin marking the Northeast corner of said SE 1/4; thence North $89^{\circ}33'03''$ West along the Northerly boundary of said SE 1/4 1679.87 feet (formerly S $89^{\circ}49'47''$ W 1678.58) to a point; thence continuing along said Northerly boundary of the SE 1/4 North $89^{\circ}33'03''$ West 409.13 feet (formerly S $89^{\circ}49'47''$ W 409.20 feet) to an iron pin; thence leaving said Northerly boundary of the SE 1/4 South $03^{\circ}55'03''$ East 21.06 feet (formerly S $04^{\circ}30'30''$ E) to an iron pin marking the REAL POINT OF BEGINNING;

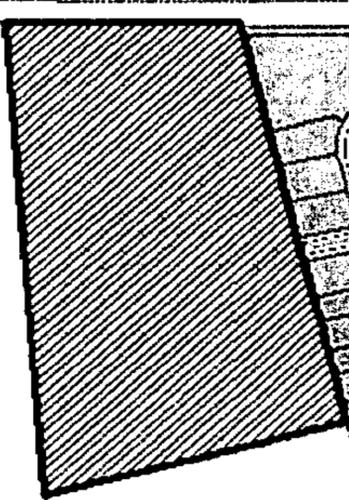
thence continuing South $03^{\circ}55'03''$ East 968.46 feet (formerly S $04^{\circ}30'30''$ E) to an iron pin;

thence North $74^{\circ}45'35''$ East 563.96 feet to an iron pin on the Westerly boundary of Lot 4 of Desert Edge Estates, a subdivision as filed for record in the office of the Ada County Recorder, Boise, Idaho in Short Plat Book A at page 22;

thence North $13^{\circ}37'39''$ West 838.31 feet (formerly N $14^{\circ}10'30''$ W) along said Westerly boundary of Lot 4 of Desert Edge Estates to an iron pin lying 21.00 feet Southerly of said Northerly boundary of the SE 1/4;

thence North $89^{\circ}33'03''$ West 412.79 feet along a line parallel to and 21.00 feet Southerly of said Northerly boundary of the SE 1/4 to the point of beginning, comprising 10.00 acres, more or less.

EXHIBIT B LOCATION MAP



 SUBJECT PROPERTY

 ROADS