

ORDINANCE NO. 2013-11

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY, NOW KNOWN AS PARCEL S1303438400; 4000 W. COLUMBIA ROAD, IDAHO, 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, **HUMBERTO MEDINA CABRERA**, owner of the parcel of real property situated in the unincorporated area of Ada County and particularly described in Section 2 and Exhibit A 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 November 27, 2012, as required by Section 67-6525, Idaho Code, made findings (approved by the Commission on January 8, 2013) where it was recommended to the Mayor and Council that the annexation and zoning request be approved with a zoning classification of R-2, (Low Density Residential); and

WHEREAS, the Kuna City Council, pursuant to public notice as required by law, held a public hearing on February 5, 2013, 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 February 19, 2013) where it determined that the requested annexation should be granted with a zoning classification of R-2; and

WHEREAS, the zoning classification of R-2 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 S1303438400, and more particularly described in "Exhibit A" – Legal Description(s) and "Exhibit B" – 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.

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-2, 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-2, 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 within 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 July, 2013.

CITY OF KUNA
Ada County, Idaho

W. Greg Nelson, Mayor

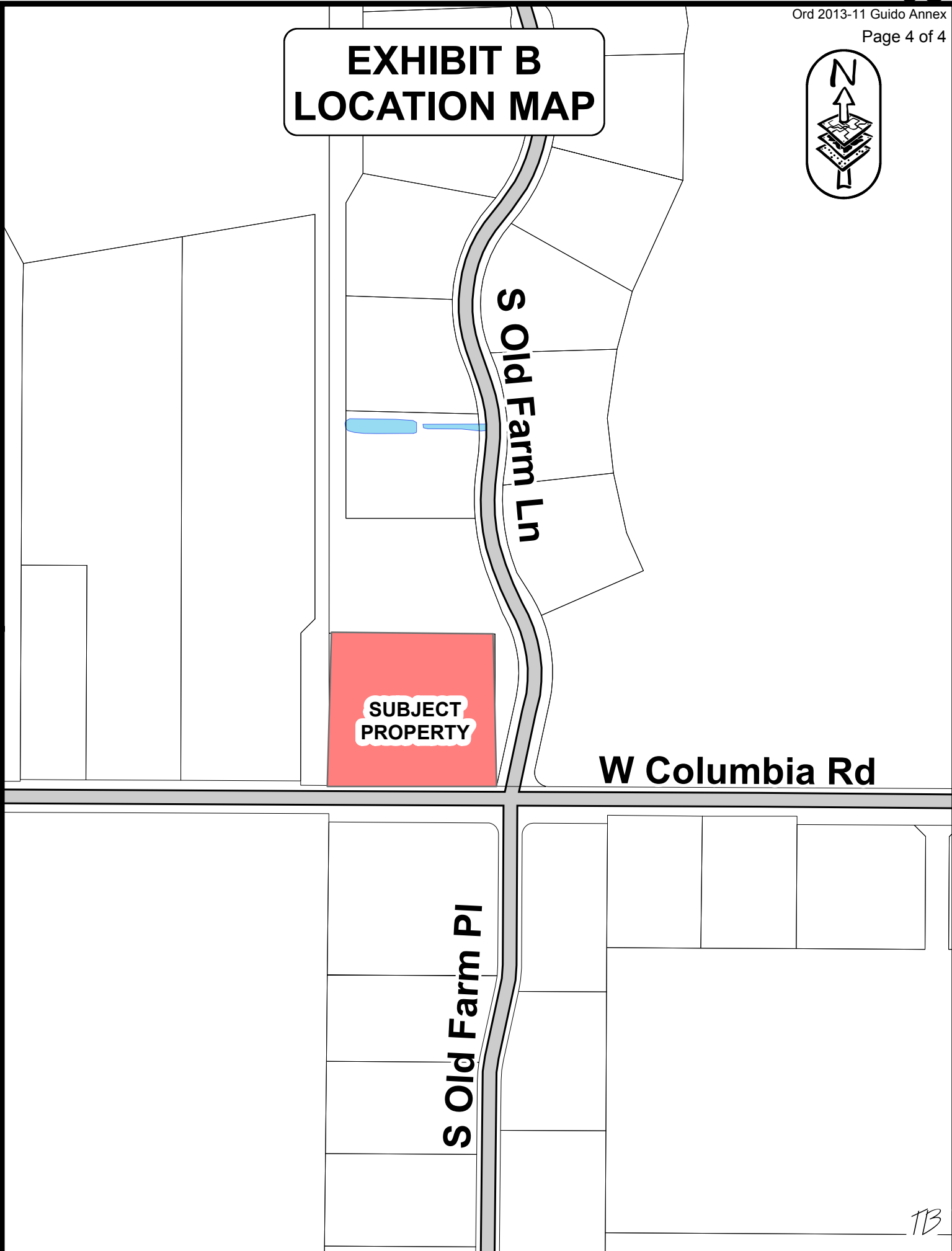
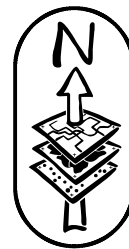
ATTEST:

Brenda S. Bingham, City Clerk

EXHIBIT A

Commencing at the quarter section corner between Sections 3 and 10, Township 2 North, Range 1 West of the Boise Meridian, thence Easterly along the section line between said Sections 3 and 10 a distance of 295 feet, thence Northerly, parallel to the East line of said Section 3 a distance of 295 feet; thence Westerly parallel to the South line of said Section 3 a distance of 295 feet to the West line of the Southeast quarter of Section 3; thence Southerly a distance of 295 feet to the PLACE OF BEGINNING, being a part of the Southwest quarter of the Southeast quarter of Section 3, Township 2 North, Range 1 West of the Boise Meridian in Ada County, State of Idaho.

EXHIBIT B LOCATION MAP



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