

ADA COUNTY RECORDER Trent Tripple
BOISE IDAHO Pgs=5 NIKOLA OLSON
CITY OF KUNA, IDAHO

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**ORDINANCE NO. 2024-01
CITY OF KUNA, IDAHO**

**5200 S BLACK CAT ROAD
MUNICIPAL ANNEXATION AND ZONING**

**A MUNICIPAL ANNEXATION AND ZONING ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF KUNA:**

- **MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND**
- **ANNEXING CERTAIN REAL PROPERTY, TO-WIT: 5200 S BLACK CAT ROAD OWNED BY JOHN STEUART REVOCABLE TRUST, WITHIN UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, INTO THE CITY OF KUNA, IDAHO; AND**
- **ESTABLISHING THE ZONING CLASSIFICATIONS OF SAID REAL PROPERTY; AND**
- **DIRECTING THE CITY ENGINEER AND THE CITY CLERK; AND**
- **PROVIDING AN EFFECTIVE DATE.**

THE CITY COUNCIL MAKES THE FOLLOWING FINDINGS AND DECLARATIONS OF ITS AUTHORITY, HISTORY AND PROCESS OF THIS IDAHO CODE SECTION 50-222 (3) (a) CATEGORY "A" ANNEXATION AND ZONING ORDINANCE AS FOLLOWS:

WHEREAS, the City of Kuna, Idaho is a municipal corporation organized and existing under the laws of the state of Idaho (the "City") 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, JOHN STEUART REVOCABLE TRYST, (The "Owner") of **5200 S BLACK CAT ROAD** [legally described in Exhibit A attached hereto and by this reference herein incorporated] (the "Real Property").

WHEREAS, the Real Property is situated in the unincorporated area of Ada County.

WHEREAS, the owner has filed with the city the following written request and application:

- Annexation of the Real Property with an R-4 zoning district classification.

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on November 14, 2023, as required by Section 67-6525, Idaho Code, made findings (approved by the Commission on November 28, 2023) where it was recommended to the Mayor and Council that the annexation for lands described in Exhibit A and the R-4 zoning request, be approved;

WHEREAS, The Council, pursuant to public notice as required by law, held a public hearing on January 16, 2024, on the Owner's application and request for the Real Property annexation and zoning, as required by Section §67-6525, Idaho Code, and made findings (approved on February 6, 2024) wherein the City Council determined that the Owner's written request and application for annexation of 5200 S Black Cat Road should be granted with a R-4 zoning district classification.

WHEREAS, the zoning classification of R-4 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 are contiguous to the City, that said property can be reasonably assumed to be used for the orderly development of the City, and that the owners of said property has requested, in writing, annexation thereof to the City.

Section 2: The Real Property, situated in Ada County, Idaho, adjacent to and contiguous to the City, commonly known as 5200 S Black Cat Road and more particularly and legally 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 classification of the land described in Section 2 above is hereby established as R-4, 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 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 6th day of February 2024.

CITY OF KUNA



Joe Stear, Mayor

ATTEST:



Nathan Stanley, City Clerk



**EXHIBIT A
LEGAL DESCRIPTION**

**5200 S BLACK CAT ROAD, JOHN STEUART REVOCABLE TRUST
MUNICIPAL ANNEXATION AND ZONING**

A parcel of lying within the Southwest Quarter of the Northwest Quarter of Section 34, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Corner common to Sections 27, 28, 33, and 34, monumented by a found brass cap, as shown on Corner Record Instrument Number 111031310, from which the Quarter Corner common to Sections 33 and 34, monumented by a found aluminum cap, as shown on Corner Record Instrument Number 99121625, bears South 00°56'05" West, 2,660.84 feet; Thence along the boundary common to Sections 33 and 34, South 00°56'05" West, 1330.41 feet to the North Sixteenth Corner common to said Sections 33 and 34, monumented by a found 5/8" rebar, the **POINT OF BEGINNING**;

Thence along the northerly boundary of the Southwest Quarter of the Northwest Quarter of Section 34, South 89°21'59" East, 1,318.83 feet to the Northwest Sixteenth of said Section 34, monumented by a found 5/8" rebar;

Thence along the easterly boundary of the said Southwest Quarter of the Northwest Quarter of Section 34, South 00°52'51" West, 748.53 feet to the approximate centerline of the Mason Creek Feeder Canal, witnessed by a found 5/8" rebar bearing North 00°52'51" East, 20.00 feet;

Thence along said approximate centerline of the Mason Creek Feeder Canal the following eight (8) courses:

- 1) North 87°31'33" West, 171.87 feet, referenced by a found 5/8" rebar bearing North 07°44'20" East, 20.00 feet;
- 2) North 76°59'46" West, 221.68 feet referenced by a found 5/8" rebar bearing North 34°31'02" East, 20.00 feet;
- 3) North 33°58'09" West, 125.86 feet referenced by a found 5/8" rebar bearing North 45°30'53" East, 20.00 feet;
- 4) North 55°00'04" West, 113.09 feet referenced by a found 5/8" rebar bearing North 20°57'39" East, 20.00 feet;
- 5) North 83°04'37" West, 209.64 feet referenced by a found 5/8" rebar bearing North 01°29'57" West, 20.00 feet;
- 6) South 80°04'43" West, 143.26 feet referenced by a found 5/8" rebar bearing North 05°57'27" West, 20.00 feet;
- 7) South 88°00'23" West, 259.43 feet referenced by a found 5/8" rebar bearing North 05°33'56" East, 20.00 feet;
- 8) North 76°52'30" West, 160.56 feet to a found 5/8" rebar of the line common to Section 33 and 34;

Thence along said line common to Sections 33 and 34, North 00°56'05" East, 508.52 feet to the POINT OF BEGINNING.

Containing 784,977 square feet or 18.020 acres, more or less.

End of Description

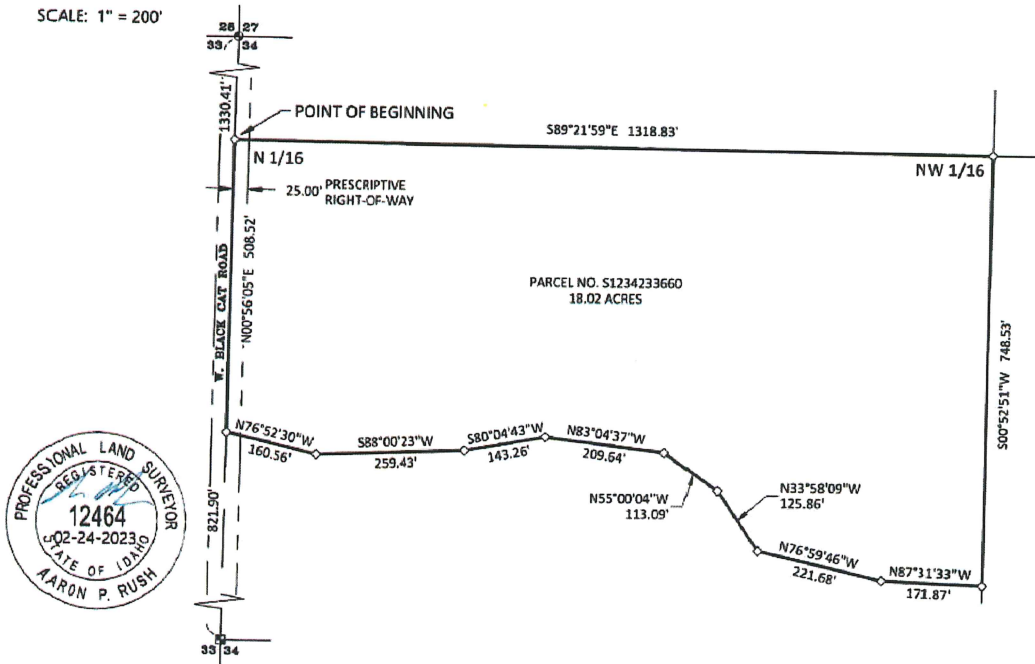
Prepared By: Aaron Rush, PLS



ANNEXATION SKETCH

PARCEL NO. S1234233660
SW 1/4 OF NW 1/4, SEC. 34, T3N, R1W

SCALE: 1" = 200'

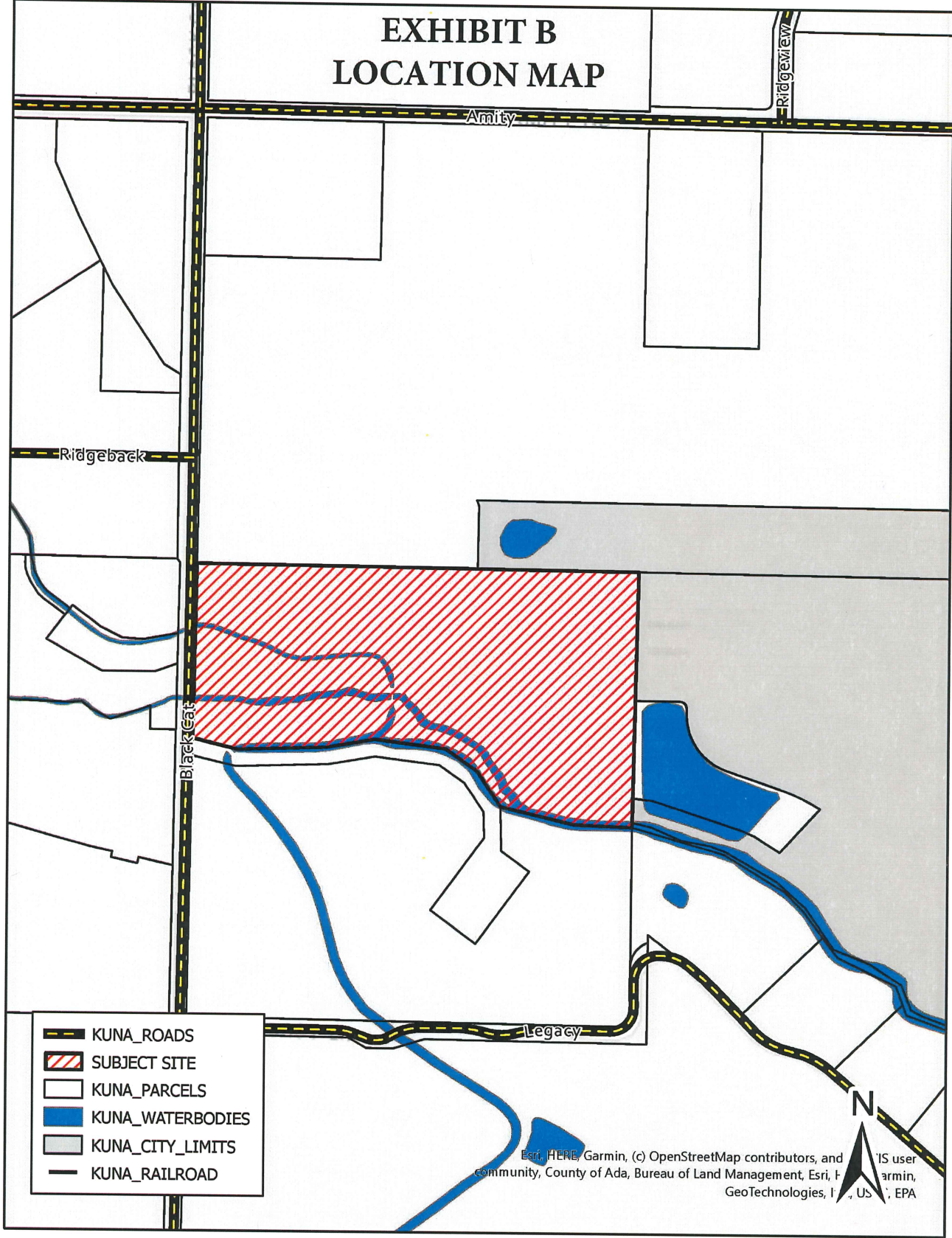








NOTE

REFER TO RECORD OF SURVEY NO. 11968 FOR ADDITIONAL BOUNDARY DETAILS, AND MONUMENTATION SET DURING THE COURSE OF THIS SURVEY.



EXHIBIT B LOCATION MAP



-  KUNA_ROADS
-  SUBJECT SITE
-  KUNA_PARCELS
-  KUNA_WATERBODIES
-  KUNA_CITY_LIMITS
-  KUNA_RAILROAD

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