

ADA COUNTY RECORDER Trent Tripple
BOISE IDAHO Pgs=4 VICTORIA BAILEY
CITY OF KUNA, IDAHO

2024-009641
02/26/2024 12:05 PM
NO FEE

REC'D FEB 29 2024

(Space above reserved for recording)

ORDINANCE NO. 2024-02
CITY OF KUNA, IDAHO

5610 S TEN MILE 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: 5610 S TEN MILE ROAD OWNED BY MJV PROPERTIES, LLC, 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, MJV PROPERTIES, LLC, (The "Owner") of 5610 S TEN MILE 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 C-2 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, and November 28, 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 C-2 zoning request, be approved;

WHEREAS, The Council, pursuant to public notice as required by law, held a public hearing on February 6, 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 20, 2024) wherein the City Council determined that the Owner's written request and application for annexation of 5610 S Ten Mile Road should be granted with a C-2 zoning district classification.

WHEREAS, the zoning classification of C-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 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 5610 S Ten Mile 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 C-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 C-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 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.

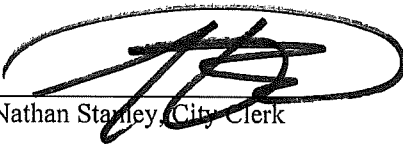
DATED this 20th day of February 2024.

CITY OF KUNA



Joe Stear, Mayor

ATTEST:



Nathan Stanley, City Clerk

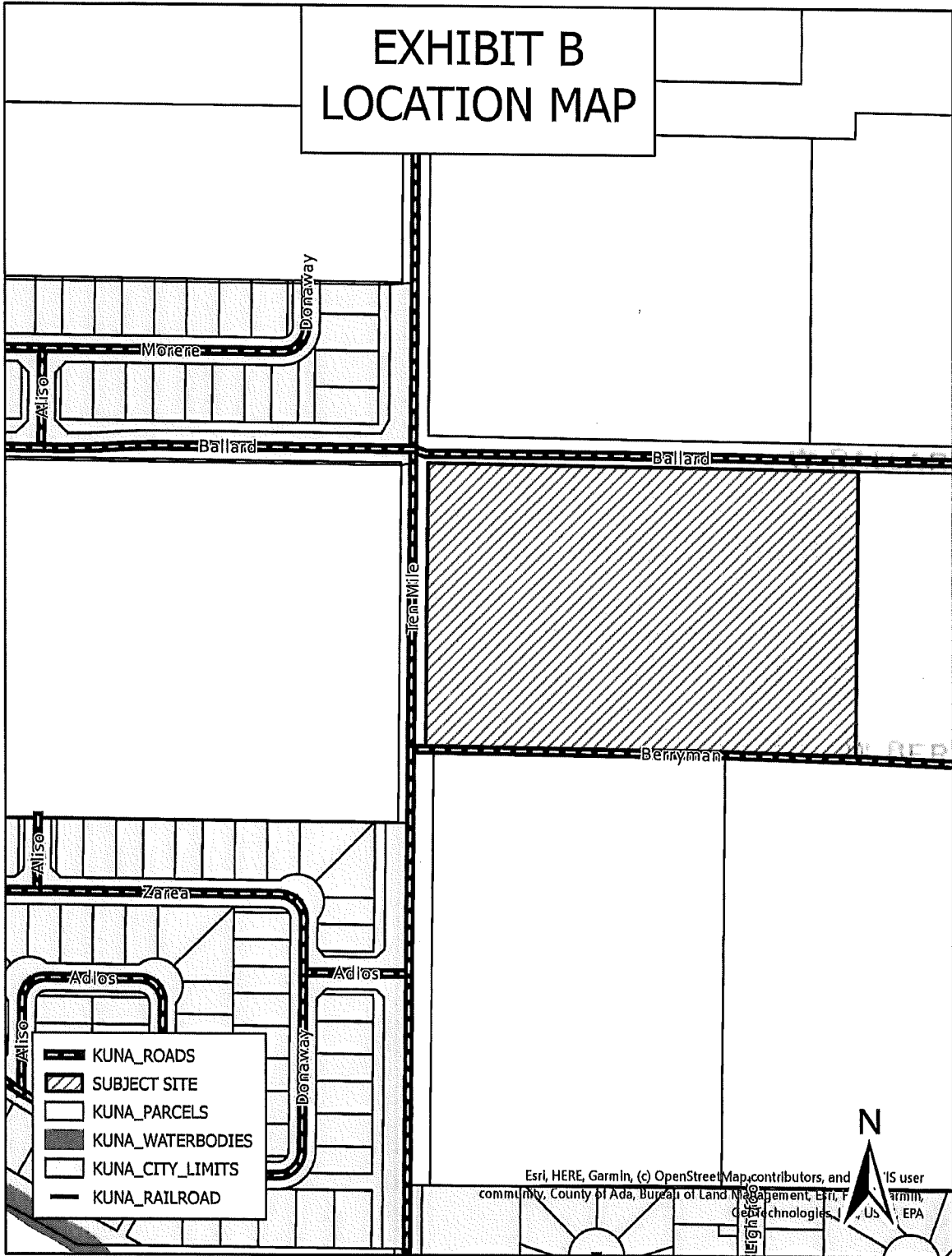


EXHIBIT A
LEGAL DESCRIPTION
5610 S TEN MILE ROAD – MJV PROPERTIES, LLC
MUNICIPAL ANNEXATION AND ZONING

A parcel of land located in the Northwest Quarter of the Southwest Quarter of Section 35, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

Beginning at the West Quarter corner being marked by an aluminum cap monument; thence South 0°31'52" West, along the West line of said Section 35, also being the centerline of South Ten Mile road for a distance of 528.72 feet; thence South 89°15'38" East, for a distance of 823.91 feet; thence North 0°31'52" East, for a distance of 528.72 feet to the East-West centerline of said Section; thence North 89°15'38" West, along said East-West centerline for a distance of 823.91 feet to the Point of Beginning.

EXHIBIT B LOCATION MAP





P.O. BOX 13
KUNA ID 83634
(208)922-5546
www.KunaCity.id.gov

Mayor
Joe Stear

City Council
Members
Chris Bruce
Warren Christensen
John Laraway
Greg McPherson

City of Kuna

REC'D FEB 29 2024

February 27, 2024

Subject: Ordinances No. 2024-02, 2024-03

Dear Jeff,

You will find enclosed a copy of City of Kuna Ordinance No. 2024-02, 2024-03 annexing certain real property. Please make these changes in your records.

If you have any questions or concerns, please call me at 922-5546.

Sincerely,

Nathan Stanley
City Clerk

2 Enclosures