

ADA COUNTY RECORDER Trent Tripple BOISE IDAHO Pgs=9 VICTORIA BAILEY CITY OF KUNA, IDAHO	2024-009642 02/26/2024 12:06 PM NO FEE
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REC'D FEB 29 2024

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**ORDINANCE NO. 2024-03
CITY OF KUNA, IDAHO**

**HAZEL CREST, LLC,
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 PROPERTIES, TO WIT: ADA COUNTY ASSESSOR'S PARCEL NOS. S1234449550, AND S1234449600, OWNED BY HAZEL CREST, 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 HAZEL CREST, LLC, (The "Owner") of parcels S1234449550, and S1234449600, the subject real property [legally described in Exhibits A-1 through A-4, attached hereto and by this reference herein incorporated] (the "Real Property"),

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

WHEREAS, The Owner has filed with the City the following written request and application:

- Annexation of these Real Properties with the C-1, R-12, R-6 and R-4 zoning district classifications [legally described in Exhibit A-1 through A-4], and

WHEREAS, the Planning and Zoning Commission of the City, pursuant to public notice as required by law, held a public hearing on July 25, 2023, and was continued until August 8, 2023, as required by Section §67-6525, Idaho Code, made findings (approved by the Commission on August 22, 2023) where it was recommended to the Mayor and Council that the annexation for Parcel Nos. S1234449550, and S1234449600 legally described in Exhibits A-1 through A-4, with C-1, R-12, R-6 and R-4 Zoning Districts Classification requests, be approved;

WHEREAS, The Council, pursuant to public notice as required by law, held a public hearing on November 8, 2023, and was continued until January 16, 2024, on the Owner's application and request for the Real Properties 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 the annexation of Parcel Nos. S1234449550, and S1234449600, legally described in Exhibits A-1 through A-4, with C-1, R-12, R-6 and R-4 Zoning Districts Classification requests, be approved;

WHEREAS, the zoning classification of C-1 is appropriate to meet the requirements of the Kuna City Code and should be granted.

WHEREAS, the zoning classification of R-12 is appropriate to meet the requirements of the Kuna City Code and should be granted.

WHEREAS, the zoning classification of R-6 is appropriate to meet the requirements of the Kuna City Code and should be granted.

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 Properties described below are contiguous to the City, that said properties can be reasonably assumed to be used for the orderly development of the City, and that the owner of said properties has requested, in writing, annexation thereof to the City.

Section 2: The Real Properties, situated in Ada County, Idaho, adjacent to and contiguous to the City, and legally described in “Exhibits A-1 through A-4,” Legal Descriptions, 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 C-1, R-12, R-6 and R-4, as legally described in Exhibits A-1 through A-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 C-1, R-12, R-6 and R-4, zoning land use classifications.

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.

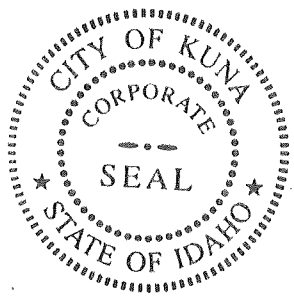
DATED this 20th day of February 2024.

CITY OF KUNA


Joe Stear, Mayor

ATTEST: 

Nathan Stanley, City Clerk



**EXHIBIT A-1
LEGAL DESCRIPTION; C-1**

HAZEL CREST, LLC,
MUNICIPAL ANNEXATION AND ZONING

A portion of the Southeast 1/4 of the Southeast 1/4 of Section 34, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho more particularly described as follows:

BEGINNING at the Section corner common to Sections 2 and 3, T.2N., R.1W, B.M. and Sections 34 and 35, T.3N., R.1W, B.M., from which the 1/4 corner common to said Sections 34 and 35, bears North 00°03'38" East, 2652.70 feet;

thence North 89°58'05" West, 1,322.50 feet to the East 1/16 corner common to said Sections 3 and 34;

thence on the west boundary line of the Southeast 1/4 of the Southeast 1/4 of said Section 34, North 00°12'31" East, 245.00 feet;

thence leaving said west boundary line, South 89°58'05" East, 1,321.87 feet to the east boundary line of said Section 34;

thence on said east boundary line, South 00°03'38" West, 245.00 feet to the **REAL POINT OF BEGINNING**.

Containing 7.437 acres, more or less.

**EXHIBIT A-2
LEGAL DESCRIPTION; R-12**

HAZEL CREST, LLC,
MUNICIPAL ANNEXATION AND ZONING

A portion of the Southeast 1/4 of the Southeast 1/4 of Section 34, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho more particularly described as follows:

Commencing at the Section corner common to Sections 2 and 3, T.2N., R.1W, B.M. and Sections 34 and 35, T.3N., R.1W, B.M., from which the 1/4 corner common to said Sections 34 and 35, bears North 00°03'38" East, 2652.70 feet; thence on the east boundary line of said Section 34, North 00°03'38" East, 245.00 feet to the **REAL POINT OF BEGINNING**;

thence leaving said east boundary line, North 89°58'05" West, 1,321.87 feet to the west boundary line of the Southeast 1/4 of the Southeast 1/4 of said Section 34;

thence on said west boundary line, North 00°12'31" East, 198.72 feet;

thence leaving said west boundary line, North 90°00'00" East, 400.00 feet;

thence North 00°12'31" East, 175.00 feet;

thence North 90°00'00" East, 920.90 feet to the east boundary line of said Section 34;

thence on said east boundary line, South 00°03'38" West, 374.45 feet to the **REAL POINT OF BEGINNING**.

Containing 9.741 acres, more or less.

EXHIBIT A-3
LEGAL DESCRIPTION; R-6

HAZEL CREST, LLC,
MUNICIPAL ANNEXATION AND ZONING

A portion of the East 1/2 of the Southeast 1/4 of Section 34, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho more particularly described as follows:

Commencing at the Section corner common to Sections 2 and 3, T.2N., R.1W, B.M. and Sections 34 and 35, T.3N., R.1W, B.M., from which the 1/4 corner common to said Sections 34 and 35, bears North 00°03'38" East, 2652.70 feet; thence on the east boundary line of said Section 34, North 00°03'38" East, 619.45 feet to the **REAL POINT OF BEGINNING**;

thence leaving said east boundary line, North 90°00'00" West, 920.90 feet;

thence South 00°12'31" West, 175.00 feet;

thence North 90°00'00" West, 400.00 feet to the west boundary line of the Southeast 1/4 of the Southeast 1/4 of said Section 34;

thence on said west boundary line, North 00°12'31" East, 191.39 feet;

thence leaving said west boundary line, South 89°47'29" East, 147.23 feet;

thence 23.61 feet on the arc of a curve to the left having a radius of 100.00 feet, a central angle of 13°31'30", and a long chord which bears North 06°58'16" East, 23.55 feet;

thence North 00°12'31" East, 476.44 feet;

thence 37.02 feet on the arc of a curve to the right having a radius of 100.00 feet, a central angle of 21°12'35", and a long chord which bears North 10°48'48" East, 36.81 feet;

thence North 21°25'06" East, 168.12 feet;

thence South 53°34'54" East, 342.01 feet;

thence North 36°25'06" East, 125.00 feet;

thence South 53°34'54" East, 458.30 feet;

thence South 89°42'24" East, 382.86 feet to the east boundary line of said Section 34;

thence on said east boundary line, South 00°03'38" West, 331.83 feet to the **REAL POINT OF BEGINNING**.

Containing 14.330 acres, more or less.

EXHIBIT A-4
LEGAL DESCRIPTION; R-4

HAZEL CREST, LLC,
MUNICIPAL ANNEXATION AND ZONING

A portion of the East 1/2 of the Southeast 1/4 of Section 34, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho more particularly described as follows:

Commencing at the Section corner common to Sections 2 and 3, T.2N., R.1W, B.M. and Sections 34 and 35, T.3N., R.1W, B.M., from which the 1/4 corner common to said Sections 34 and 35, bears North 00°03'38" East, 2652.70 feet; thence North 89°58'05" West, 1,322.50 feet to the East 1/16 corner common to said Sections 3 and 34; thence on the west boundary line of the Southeast 1/4 of the Southeast 1/4 of said Section 34, North 00°12'31" East, 635.11 feet to the **REAL POINT OF BEGINNING**;

thence continuing North 00°12'31" East, 692.03 feet to the Southeast 1/16 corner of said Section 34, coincident with the Southeast corner of Lot 9, Block 1, Dreamcatcher Subdivision as filed in Book 80 of Plats at Pages 8639 through 8641, records of Ada County, Idaho;

thence on the west boundary line of the Northeast 1/4 of the Southeast 1/4, coincident with the east boundary line of said Lot 9, North 00°12'31" East, 332.60 feet to the southerly boundary line of Gran Prado Subdivision No. 2 as filed in Book 122 of Plats at Pages 19336 through 19340, records of Ada County, Idaho;

thence on said southerly boundary line the following two (2) courses and distances:

South 72°13'56" East, 107.15 feet;

South 51°37'32" East, 342.71 feet to the Southeast corner of Gran Prado Subdivision No. 1 as filed in Book 116 of Plats at Pages 17565 through 17568, records of Ada County, Idaho;

thence on the southerly boundary line of said Gran Prado Subdivision No. 1 the following three (3) courses and distances:

South 51°37'32" East, 141.27 feet;

South 61°12'05" East, 257.05 feet;

South 89°56'22" East, 611.01 feet to the east boundary line of said Section 34;

thence on said east boundary line, South 00°03'38" West, 251.56 feet

thence leaving said east boundary line, North 89°42'24" West, 382.86 feet;

thence North 53°34'54" West, 458.30 feet;

thence South 36°25'06" West, 125.00 feet;

thence North 53°34'54" West, 342.01 feet;

thence South 21°25'06" West, 168.12 feet;

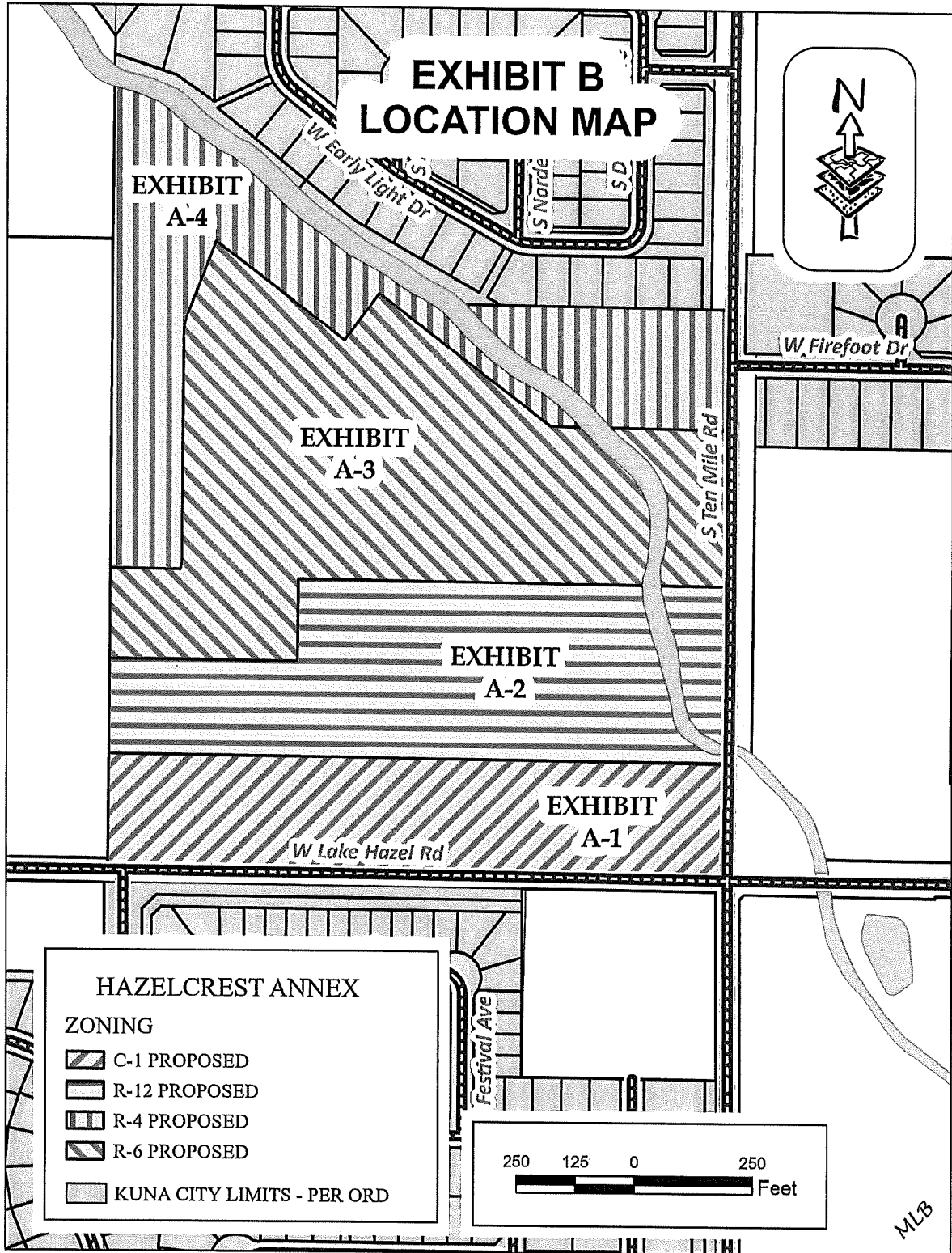
thence 37.02 feet on the arc of a curve to the left having a radius of 100.00 feet, a central angle of 21°12'35", and a long chord which bears South 10°48'48" West, 36.81 feet;

thence South 00°12'31" West, 476.44 feet;

thence 23.61 feet on the arc of a curve to the right having a radius of 100.00 feet, a central angle of 13°31'30", and a long chord which bears South 06°58'16" West, 23.55 feet;

thence North 89°47'29" West, 147.23 feet to the **REAL POINT OF BEGINNING**.

Containing 8.721 acres, more or less.





City of Kuna

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

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