

**ORDINANCE NO. 2018-12
PEOPLE EMPOWERMENT SERVICES
MUNICIPAL IRRIGATION ANNEXATION**

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING A PORTION OF LOT 5 BLOCK 1 OF SOUTH LINDERS ESTATES, INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE BOISE~KUNA IRRIGATION DISTRICT; CHANGING THE RESPECTIVE BOUNDARIES OF SAID DISTRICTS; DECLARING WATER RIGHTS APPURTENANT THERETO ARE POOLED FOR DELIVERY PURPOSES; DIRECTING THAT COPIES OF THIS ORDINANCE BE RECORDED AS PROVIDED BY LAW; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kuna operates a municipal irrigation system, generally referred to as Kuna Municipal Irrigation District (KMID), as authorized by Title 50, Chapter 18, Idaho Code; and

WHEREAS, the above-mentioned parcels are connected to the Kuna Municipal Irrigation District system; and

WHEREAS, the Kuna City Council has deemed annexation of said properties into the Kuna Municipal Irrigation District to be in the best interest of the City of Kuna;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF KUNA, Ada County, Idaho, as follows:

Section 1: That the following described real properties be and the same hereby is annexed into the Kuna Municipal Irrigation District of the City of Kuna, State of Idaho and the boundaries adjusted accordingly, said property being described as follows in Exhibit A.

Section 2: Declaring the water rights appurtenant thereto are hereby pooled for delivery purposes

Section 3: The City Clerk is hereby directed to record, in the office of the recorder for Ada County, a certified copy of this ordinance as required by Section 50-1832, Idaho Code.

Section 4: The City Engineer is hereby directed to give notice of this action by forwarding a certified copy of this Ordinance to Boise~Kuna Irrigation District.

Section 5: That this Ordinance, or a summary thereof in compliance with Section 50-901A, Idaho Code, shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

DATED this 6th day of March, 2018.

CITY OF KUNA



Joe L. Stear, Mayor

ATTEST:



Chris Engels, City Clerk



EXHIBIT A
LEGAL DESCRIPTION FOR WATER RIGHTS ON
A PORTION OF LOT 5 OF SOUTH LINDER ESTATES

All of Lot 5, Block 1, South Linder Estates

Except the following:

Being a portion of Lot 5, Block 1, of South Linder Estates Subdivision, as filed in Book 30 of Plats at Page 1832, records of Ada County, Idaho, located in the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 24, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 5; Thence along the West boundary line of said Lot 5, North $00^{\circ}08'30''$ East, 152.67 feet to the REAL POINT OF BEGINNING;

Thence continuing along the said West boundary line North $00^{\circ}08'30''$ East, 191.91 feet to the NW corner of said Lot 5;

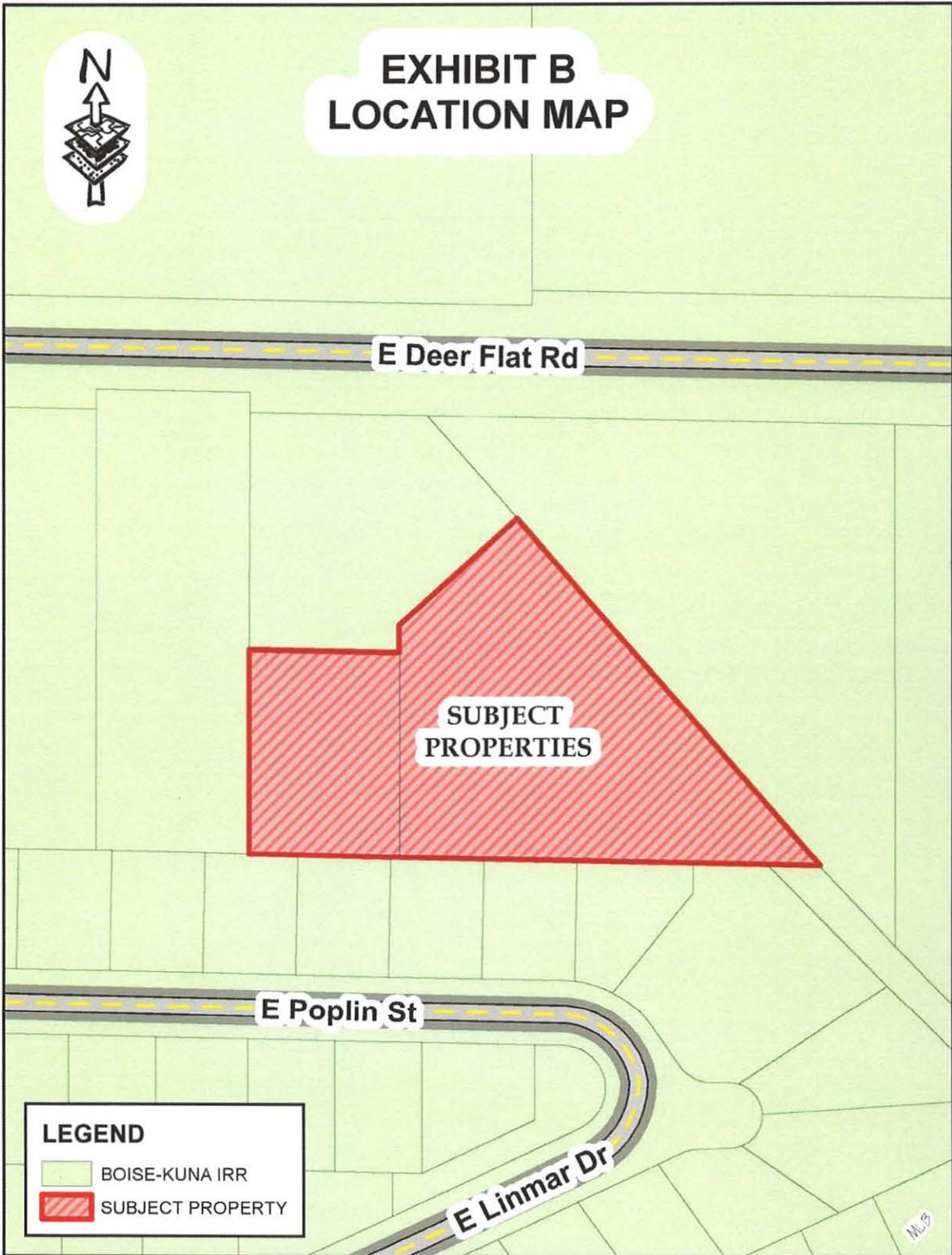
Thence along the North boundary line of said Lot 5 South $88^{\circ}45'54''$ East, 120.10 feet to the NE corner of said Lot 5;

Thence along the northeasterly boundary line of said Lot 5 South $41^{\circ}20'06''$ East, 123.09 feet;

Thence leaving said northeasterly boundary line South $48^{\circ}21'35''$ West, 118.66 feet;

Thence South $00^{\circ}00'00''$ East, 20.50 feet;

Thence North $88^{\circ}45'54''$ West, 113.19 feet to the REAL POINT OF BEGINNING. Containing 29,616 square feet, more or less.



9/14/16

People Empowerment Services, LLC
Parcel A, 155 Deerflat Rd, Kuna Id. 83634

RE: Surface Water Rights
Kuna, ID

Dear Gordon,

Please accept this letter as a formal request to the City of Kuna to annex the remaining lots B and C of 155 & 165 Deerflat Rd, Kuna Id. 83634, legal description attached hereto as Exhibits "A", into the Kuna Municipal PI system of the City (KMID) from the Boise Kuna Irrigation District.

DATED: 2/07/18



People Empowerment Services, LLC
By: Jim Grigg, Owner

EXHIBIT "A"

Parcel "B"

Being a portion of Lot 5, Block 1, of South Linder Estates Subdivision, as filed in Book 30 of Plats at Page 1832, records of Ada County, Idaho, located in the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 24, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the Southwest corner of said Lot 5; Thence along the South boundary line of said Lot 5, South $88^{\circ}47'19''$ East, 113.57 feet to the **REAL POINT OF BEGINNING**;
Thence departing said South line, North $00^{\circ}00'00''$ East, 173.13 feet;
Thence North $48^{\circ}21'35''$ East, 118.66 feet to a point lying on the Northeasterly boundary line of said Lot 5;
Thence along said boundary line, South $41^{\circ}20'06''$ East, 344.48 feet to a point marking the Southeasterly corner of said Lot 5;
Thence North $88^{\circ}47'19''$ West, 316.26 feet to the **POINT OF BEGINNING**.
Containing 1.10 acres, more or less.

Parcel "C"

Being a portion of Lot 5, Block 1, of South Linder Estates Subdivision, as filed in Book 30 of Plats at Page 1832, records of Ada County, Idaho, located in the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 24, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, more particularly described as follows:

BEGINNING at the Southwest corner of said Lot 5; Thence along the West boundary line of said Lot 5, North $00^{\circ}08'30''$ East, 152.67 feet;
Thence South $88^{\circ}45'54''$ East, 113.19 feet;
Thence South, 152.63 feet to a point lying on the South boundary line of said Lot 5;
Thence along said South line North $88^{\circ}47'19''$ West, 113.57 feet to the **POINT OF BEGINNING**.
Containing 0.40 acres, more or less.

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The full text of this ordinance is available at the City Clerk's Office, Kuna City Hall, 751 W. 4th Street, Kuna, Idaho 83634.

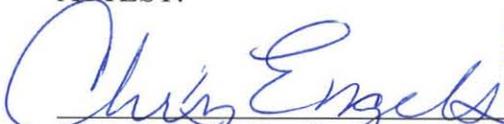
THE FOREGOING SUMMARY IS APPROVED for publication this 6th day of March, 2018 by the City Council of the City of Kuna.

CITY OF KUNA, a Municipal Corporation
of Idaho



Joe L. Stear, Mayor

ATTEST:


Chris Engels, City Clerk

I have reviewed the foregoing summary and believe that it provides a true and complete summary of Ordinance No. 2018-12 and that the summary provides adequate notice to the public of the contents of this ordinance.

DATED this 6th day of March, 2018.



Richard T. Roats, City Attorney

PUBLISHED: March 14, 2018