ADA COUNTY RECORDER Christopher D. Rich
BOISE IDAHO Pgs=6 HEATHER LUTHER
CITY OF KUNA, IDAHO

2018-094818
10/05/2018 01:46 PM
NO FEE

(Space above reserved for recording)

ORDINANCE NO. 2018-35
PATAGONIA DEVELOPMENT INC.
KUNA MUNICIPAL IRRIGATION ANNEXATION

AN ORDINANCE OF THE CITY OF KUNA, IDAHO, ANNEXING ALL OF PARCEL S1313131750, AND REFERRED TO AS GREYHAWK SUBDIVISION NO. 8 WHICH IS OWNED BY PATAGONIA DEVELOPMENT INC., INTO THE KUNA MUNICIPAL IRRIGATION DISTRICT FROM THE NEW YORK IRRIGATION DISTRICT; THUS, CHANGING THE BOUNDARY OF THE KUNA MUNICIPAL IRRIGATION DISTRICT; 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 New York 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 2nd day of October 2018.

CITY OF KUNA

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

EXHIBIT A
LEGAL DESCRIPTION FOR WATER RIGHTS ON GREYHAWK SUBDIVISION NO. 8

A portion of the SW 1/4 of the NE 1/4 of Section 13, T.2N., R.1W., B.M., Kuna, Ada County, Idaho, more particularly described as follows:

Commencing at the North 1/4 corner of said Section 13 from which the NW corner of said Section 13 bears North 88°53'13" West, 2642.77 feet;

thence along the West boundary line of Greyhawk Subdivision No. 1, as same is recorded in Book 99 of Plats at Pages 12854-12858, along the West boundary of Greyhawk Subdivision No. 2, as same is recorded in Book 106 of Plats at Pages 14699-14701, along the West boundary line of Greyhawk Subdivision No. 4, as same is recorded in Book 109 of Plats at Pages 15482-15484, records of Ada County, Idaho, and along the West boundary line of Greyhawk Subdivision No. 6, as same is recorded in Book 112 of Plats at Pages 16292-16294, records of Ada County, Idaho, South 00°11'49" West, 2,236.39 feet to the SW corner of said Greyhawk Subdivision No. 6, said point also being the **REAL POINT OF BEGINNING**;

thence along the exterior boundary line of said Greyhawk Subdivision No. 6 the following 4 courses and distances:

thence South 89°48'11" East, 167.00 feet;

thence South 84°05'40" East, 50.25 feet;

thence South 89°48'11" East, 105.00 feet;

thence North 00°11'49" East, 350.00 feet to the SW corner of Lot 3, Block 12 of Greyhawk Subdivision No. 5 as same is recorded in Book 110 of Plats at Pages 15,909 through 15,912, records of Ada County, Idaho;

thence along the exterior boundary line of said Greyhawk Subdivision No. 5 the following 3 courses and distances:

thence South 89°48'11" East, 105.00 feet;

thence North 78°53'13" East, 50.99 feet;

thence South 89°48'11" East, 105.00 feet;

thence continuing along the exterior boundary line of said Greyhawk Subdivision No 5 and along the West boundary line of Greyhawk Subdivision No. 7 as same is recorded in Book of Plats at Pages through , records of Ada County, South 00°11'49" West, 450.54 feet to the Southwest corner of said Grayhawk Subdivision No 7;

thence along the southerly boundary line of said Greyhawk Subdivision No 7 the following 3 courses and distances:

thence South 88°52'06" East, 579.54 feet:

thence North 59°20'59" East, 58.32 feet;

thence South 89°39'43" East, 105.00 feet to the SE corner of said Greyhawk Subdivision No. 7, point also being on the East boundary line of SW 1/4 of the NE 1/4 of said Section 13;

thence along said East boundary line South 00°20'19" West, 357.12 feet to the C-E 1/16 corner of said Section 13;

thence along the South boundary line of SW 1/4 of the NE 1/4 of said Section 13 North 88°52'04" West, 1,315.84 feet to the C1/4 of said Section 13;

thence along the North-South centerline of said Section 13 North 00°11'49" East, 410.98 feet to the **REAL POINT OF BEGINNING**. Containing 13.20 acres, more or less.

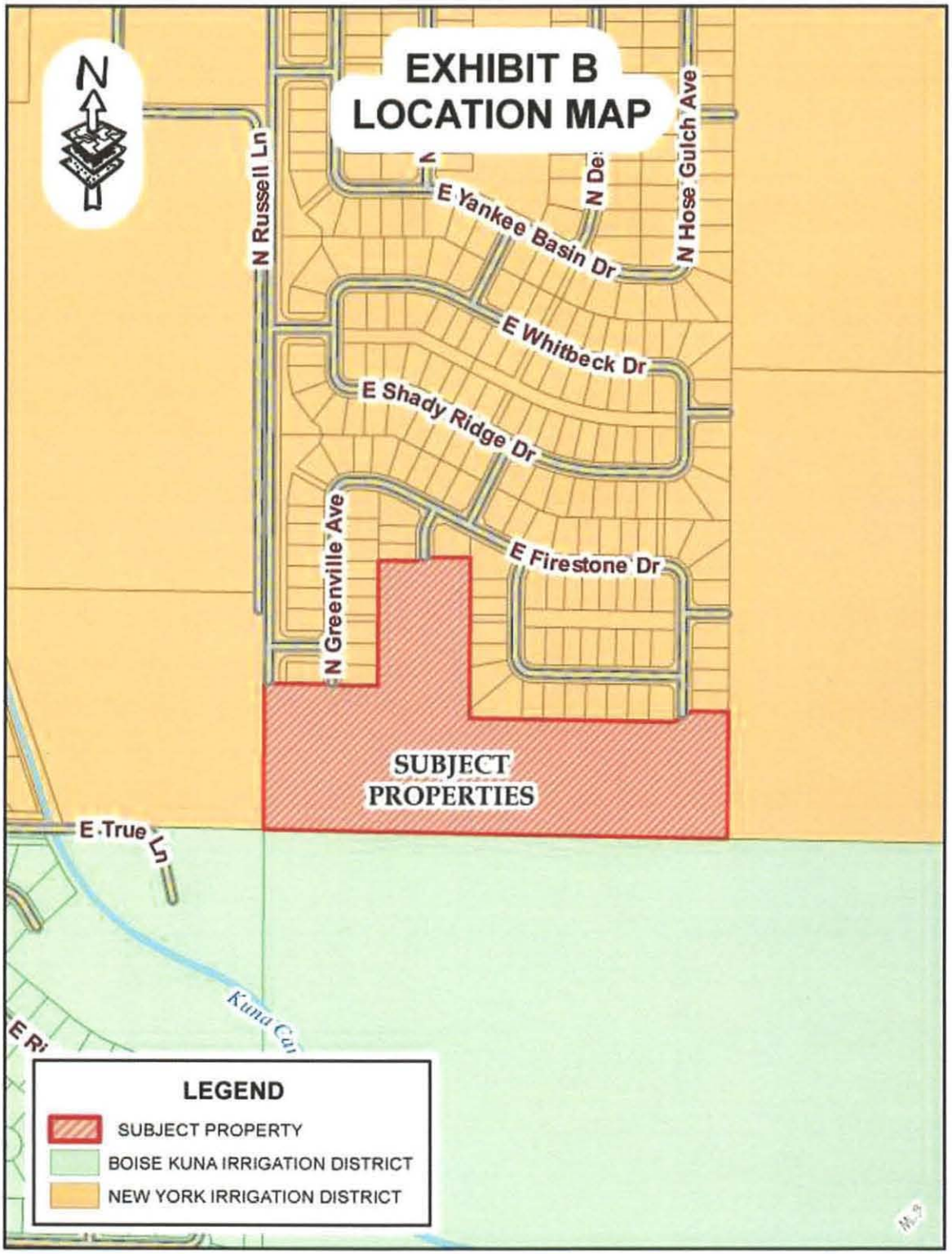
EXHIBIT B
LOCATION MAP
N
N Russell Ln
E Yankee Basin Dr
N Hose Gulch Ave
E Whitbeck Dr
E Shady Ridge Dr
N Greenville Ave
E Firestone Dr
SUBJECT
PROPERTIES
E True Ln
LEGEND
SUBJECT PROPERTY
BOISE KUNA IRRIGATION DISTRICT
NEW YORK IRRIGATION DISTRICT

March 13, 2018

City of Kuna
6950 N. Ten Mile Rd.
Meridian, ID 83642

RE: Greyhawk No 8 Subdivision Annexation into KMID

Dear Gentlemen:

I am submitting a request to annex the property hereafter known as Greyhawk Subdivision No 8 into the Kuna Municipal Irrigation District (KMID). The property is generally located south of phases 6 & 7 of Greyhawk Subdivision. The annexation is shown in the attached Exhibit A. My understanding this will pool the water rights for a portion of Ada County tax parcel S1313131680 for delivery purposes by the City of Kuna. Exhibit A is a legal description of the area in Greyhawk Subdivision No 8 will irrigate said subdivision using the City of Kuna PI system under this request.

Sincerely,

Jim Merkle
Authorized Agent
Greyhawk Land Company LLC

(Space above reserved for recording)

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PATAGONIA DEVELOPMENT INC.
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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:

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DATED this 2nd day of October 2018.

CITY OF KUNA

Joe L. Stear, Mayor

ATTEST:

Chris Engels, City Clerk

CITY OF KUNA CORPORATE SEAL STATE OF IDAHO

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thence South 89°48'11" East, 167.00 feet;

thence South 84°05'40" East, 50.25 feet;

thence South 89°48'11" East, 105.00 feet;

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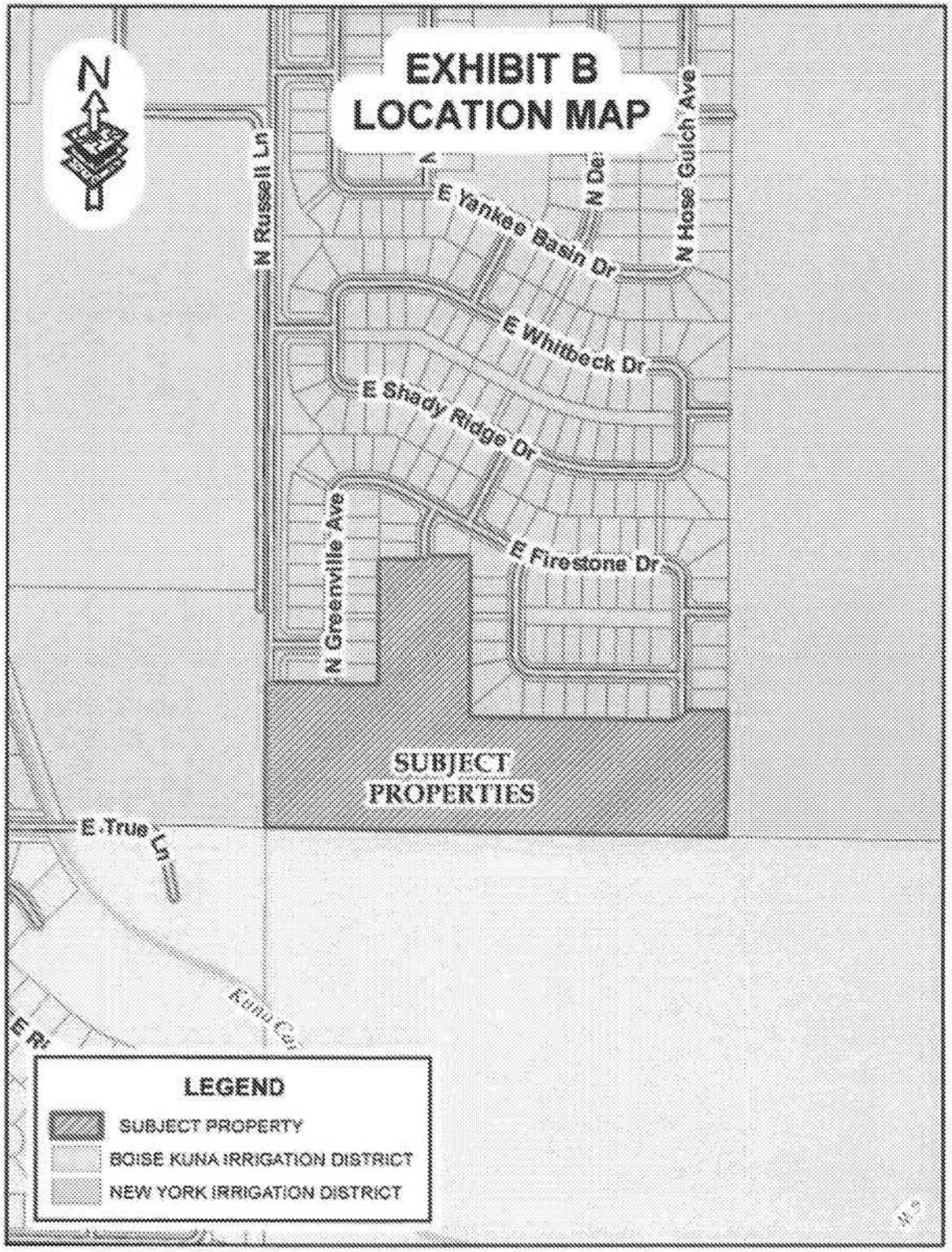
EXHIBIT B
LOCATION MAP
N
N Russell Ln
E Yankee Basin Dr
N Hose Gulch Ave
E Whitbeck Dr
E Shady Ridge Dr
N Greenville Ave
E Firestone Dr
SUBJECT
PROPERTIES
E True Ln
LEGEND
SUBJECT PROPERTY
BOISE KUNA IRRIGATION DISTRICT
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Sincerely,

Jim Merkle
Authorized Agent
Greyhawk Land Company LLC

City of Kuna

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

Mayor
Joe Stear

City Council
Members
Briana Buban-Vonder Haar
Richard Cardoza
Warren Christensen
Greg McPherson

October 9, 2018

New York Irrigation District
6616 Overland Road
Boise, ID 83709

Re: CITY OF KUNA Ordinance No 2018-35

To Whom It May Concern:

You will find enclosed a copy of City of Kuna Ordinance No 2018-35, annexing property into the Kuna Municipal Irrigation District from the New York Irrigation District. Please make these changes to your records.

We are also working on switching to electronic filings and transmissions. If you would like to start receiving copies of ordinances via e-mail please let us know by sending an e-mail to cityclerk@kunaid.gov stating your preference. Future ordinances will then be sent to your e-mail in PDF format.

If you have any questions or need additional information, please call me at 922-5546.

Sincerely,

CE

Chris Engels
City Clerk

Enclosures (1)

345222 1821962

1 KUNA, CITY OF

P.O. BOX 13
KUNA ID 83634

RECEIVED
OCT 22 2018
CITY OF KUNA

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)SS.
County of Ada)

Sharon Jessen
of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Kuna Melba News, a weekly newspaper published in the City of Kuna, in the County of Ada, State of Idaho; that the said newspaper is in general circulation in the said County of Ada, and in the vicinity of Kuna and Melba, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 1 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

That said notice was published the following:
10/10/2018

Sharon Jessen

STATE OF IDAHO)
County of Canyon)
On this 11th day of October in the year of 2018 before me a Notary Public, personally appeared. Sharon Jessen, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledge to me that he/she executed the same.

Colleen Nielsen

Notary Public for Idaho
Residing at Canyon County
My Commission expires 06/28/2023

COLLEEN R. NIELSEN
NOTARY PUBLIC
Comm No. 70215
STATE OF IDAHO

LEGAL NOTICE

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CITY OF KUNA, Joe L. Stear, Mayor

ATTEST: Chris Engels, City Clerk

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October 10, 2018 1821962

COLLEEN R. NIELSEN
NOTARY PUBLIC
Comm No. 70216
STATE OF IDAHO