

**KUNA CITY ORDINANCE NO. 2019-35A
COTTONWOOD CROSSING FARM, LLC
MUNICIPAL ANNEXATION AND ZONING ORDINANCE**

**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: ADA COUNTY ASSESSOR'S PARCEL NO. R4313530015 OWNED BY COTTONWOOD CROSSING FARM, LLC SITUATED WITHIN THE UNINCORPORATED AREA OF ADA COUNTY, IDAHO AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF KUNA, INTO THE CITY OF KUNA, IDAHO; AND**
- **RESPECTIVELY ESTABLISHING R-2 ZONING DISTRICT CLASSIFICATION OF SAID REAL PROPERTY; AND**
- **AMENDING THE OFFICIAL ZONING MAP; 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:

1. 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

2. Cottonwood Crossing Farm, LLC (the "Owners") is the owner Ada County Assessor's Parcel No. R4313530015 [legally described in Exhibit A attached hereto and by this reference herein incorporated] (the "Real Property").

3. The Real Property is situated in the unincorporated area of Ada County; and

4. The Owner has filed with the City the following written requests and applications:

- Annexation of Parcel No. R4313530015 with an R-2 zoning district classification; and

5. The Planning and Zoning Commission of the City (the "Commission"), pursuant to public notice as required by law, held a public hearing on April 23, 2019 as required by Section

67-6525, Idaho Code, made findings (approved by the Commission on June 11, 2019, recommending to the Mayor and the City Council of the City (the "Council") that the Owners' annexation and zoning applications for parcel No. R4313530015 be approved with a zoning district classification of R-2; and

6. The Council, pursuant to public notice as required by law, held a public hearing on July 2, 2019 on the Owner's applications and requests for the Real Property annexation and zoning, as required by Section 67-6525, Idaho Code, and made findings (approved on August 6, 2019) wherein the City Council determined that the Owners' written request and applications for annexation of parcel No. R4313530015 should be granted with an R-2 zoning district classification.

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

Section 1: The Council hereby finds and declares that the Real Property described below is contiguous to the City, that said Real Property can reasonably be assumed to be a part of the orderly development of the City, and that the Owner of said Real Property has requested and made application, in writing, for the annexation thereof to the City.

Section 2: The Real Property, is situated within Ada County, Idaho and is adjacent and contiguous to the City, is designated by the Ada County Assessor's Office as Parcel No. R4313530015; and is more particularly and legally described in "Exhibit A" and is depicted in "Exhibit B" – Location Map, attached hereto and incorporated herein by reference; and

Section 3: The Real Property, designated by Ada County Assessor's Office as Parcel No. R4313530015 [more particularly and legally described in "Exhibit A"], is annexed to and incorporated within the incorporated territorial limits of the City of Kuna, Idaho.

Section 4: From and after the effective date of this Ordinance, all property and persons within the boundaries and territory of the Real Property shall be subject to all ordinances, resolutions, police regulations, taxation and other powers of the City of Kuna.

Section 5: The zoning district classification of the Real Property, described in Section 3 above, is established as R-2 in accordance with the Zoning Ordinance of the City; and

Section 6: The Official Zoning Map of the City (the "Zoning Map") is hereby amended and the City Engineer is directed to include on the Zoning Map the Real Property described in Section 3 and designate said Real Property with an R-2 zoning district classification; and

Section 7: 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 descriptions of the real Property annexed by this Ordinance.

Section 8: 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 December, 2019.

CITY OF KUNA



Joe Stear, Mayor

ATTEST:



Chris Engels, City Clerk



EXHIBIT A

COTTONWODD CROSSING FARM, LLC MUNICIPAL ANNEXATION

A portion of Lot 1, Block 1 of Ironhorse Subdivision as shown in Book 91 of Plats at Pages 10651 through 10655 records, Ada County, Idaho. Situate in the southeast quarter of Section 3, Township 2 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the easterly corner common to said Lot 1 and Lot 2, Block 1 of said Ironhorse Subdivision, which is the **POINT OF BEGINNING**:

Thence 126.35 feet along a non-tangent curve deflecting to the left, having a radius of 392.69 feet, a central angle of $18^{\circ}26'09''$, a long chord bearing of $S14^{\circ}32'18''E$ and a long chord distance of 125.81 feet along the northeasterly boundary of said Lot 1;

Thence $S21^{\circ}44'13''E$, 50.53 feet continuing along the northeasterly boundary of said Lot 1;

Thence $S30^{\circ}03'14''E$, 7.08 feet continuing along the northeasterly boundary of said Lot 1;

Thence 145.48 feet along a tangent curve deflecting to the right, having a radius of 203.44 feet, a central angle of $40^{\circ}58'20''$, a long chord bearing of $S08^{\circ}34'13''E$ and a long chord distance of 142.40 feet continuing along the easterly boundary of said Lot 1;

Thence $S11^{\circ}54'56''W$, 162.71 feet continuing along the easterly boundary of said Lot 1 to the southeast corner of said Lot 1;

Thence $S89^{\circ}54'57''W$, 2.28 feet along the southerly boundary of said Lot 1;

Thence $N00^{\circ}30'23''W$, 269.99 feet along the westerly boundary of said Lot 1;

Thence $S89^{\circ}54'57''W$, 294.32 feet along the southerly boundary of said Lot 1 to the westerly boundary of said Lot 1;

Thence $N00^{\circ}22'27''W$, 203.73 feet along the westerly boundary of said Ironhorse Subdivision to the extension of the lot line common to said Lots 1 and 2;

Thence $N89^{\circ}38'55''E$, 258.87 feet along the extension of the lot line common to said Lots 1 and 2 and the northerly boundary of said Lot 1 to the **POINT OF BEGINNING**.

Comprising 65,821 square feet, more or less.
Subject to easements of record or apparent.

