

**ORDINANCE NO. 2020-36  
CITY OF KUNA, IDAHO**

**HAYDEN HOMES IDAHO LLC  
MUNICIPAL ANNEXATION AND ZONING**

**A MUNICIPAL ANNEXATION AND ZONING ORDINANCE OF THE CITY OF KUNA:**

- **MAKING CERTAIN FINDINGS AND DECLARATION OF AUTHORITY; AND**
- **ANNEXING CERTAIN REAL PROPERTIES, TO WIT: ADA COUNTY ASSESSOR'S PARCEL NO. S1419241000 OWNED BY HAYDENHOMESIDAHO, 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 PROPERTIES; 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**, HAYDENHOMESIDAHO, LLC (The "Owner") of Ada County Assessor's Parcel No. S1419241000 [legally described in Exhibit A attached hereto and by this reference herein incorporated] (the "Real Properties").

**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 Parcel No. S1419241000 with a R-8 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 July 28, 2020, as required by Section 67-6525, Idaho Code, made findings (approved by the Commission on August 11, 2020) where it was

recommended to the Mayor and Council that the annexation for lands described in Exhibit A and the R-8 zoning request, be approved;

**WHEREAS,** The Council, pursuant to public notice as required by law, held a public hearing on October 6, 2020, October 20, 2020 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 November 4, 2020) wherein the City Council determined that the Owner's written request and application for annexation of parcel no. S1419241000 should be granted with R-8 zoning district classifications.

**WHEREAS,** the zoning classification of R-8 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 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 Property, situated in Ada County, Idaho, adjacent to and contiguous to the City, commonly known as parcel no. S1419241000 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.

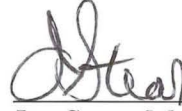
Section 4: The zoning land use classifications of the land described in Section 2 above is hereby established as R-8, as provided by the Zoning Ordinance of the City. The Zoning Map of the City is hereby amended to include the Real Property described in Section 2 above in the R-8 zoning land use classification.

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.

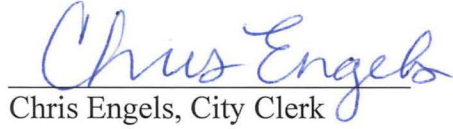
DATED this 15<sup>th</sup> day of December, 2020.

CITY OF KUNA



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Joe Stear, Mayor

ATTEST:

  
Chris Engels, City Clerk

**EXHIBIT A  
LEGAL DESCRIPTION**

HAYDEN HOMES IDAHO, LLC  
MUNICIPAL ANNEXATION

A parcel of land situated in a portion of the Southeast 1/4 of the Northwest 1/4 of Section 19, Township 2 North, Range 1 East, Boise Meridian, City of Kuna, Ada County, Idaho, and being more particularly described as follows:

Commencing at a found aluminum cap monument marking the west 1/4 corner of said Section 19, thence following the southerly line of Government Lot 2 of Section 19, S89°39'33"W a distance of 1,236.37 feet to the southeast corner of said Government Lot 2 and also being the southwest corner of said Southeast 1/4 of the Northwest 1/4 (C-W 1/16 corner) and being the **POINT OF BEGINNING**.

Thence leaving said southerly line and following the westerly line of said Southeast 1/4 of the Northwest 1/4, N00°45'15"E a distance of 1322.96 feet to a 1/2-inch rebar marking the northwest corner of said Southeast 1/4 of the Northwest 1/4 (NW 1/16 corner);

Thence leaving said westerly line and following the northerly line of said Southeast 1/4 of the Northwest 1/4, S89°39'57"E a distance of 1,326.72 feet to a 5/8-inch rebar marking the northeast corner of said Southeast 1/4 of the Northwest 1/4 (C-N 1/16 corner);

Thence leaving said northerly line and following the easterly line of said Southeast 1/4 of the Northwest 1/4, S00°35'26"W a distance of 807.09 feet to a 5/8-inch rebar;

Thence leaving said easterly line, N89°24'34"W a distance of 147.00 feet to a 5/8-inch rebar;

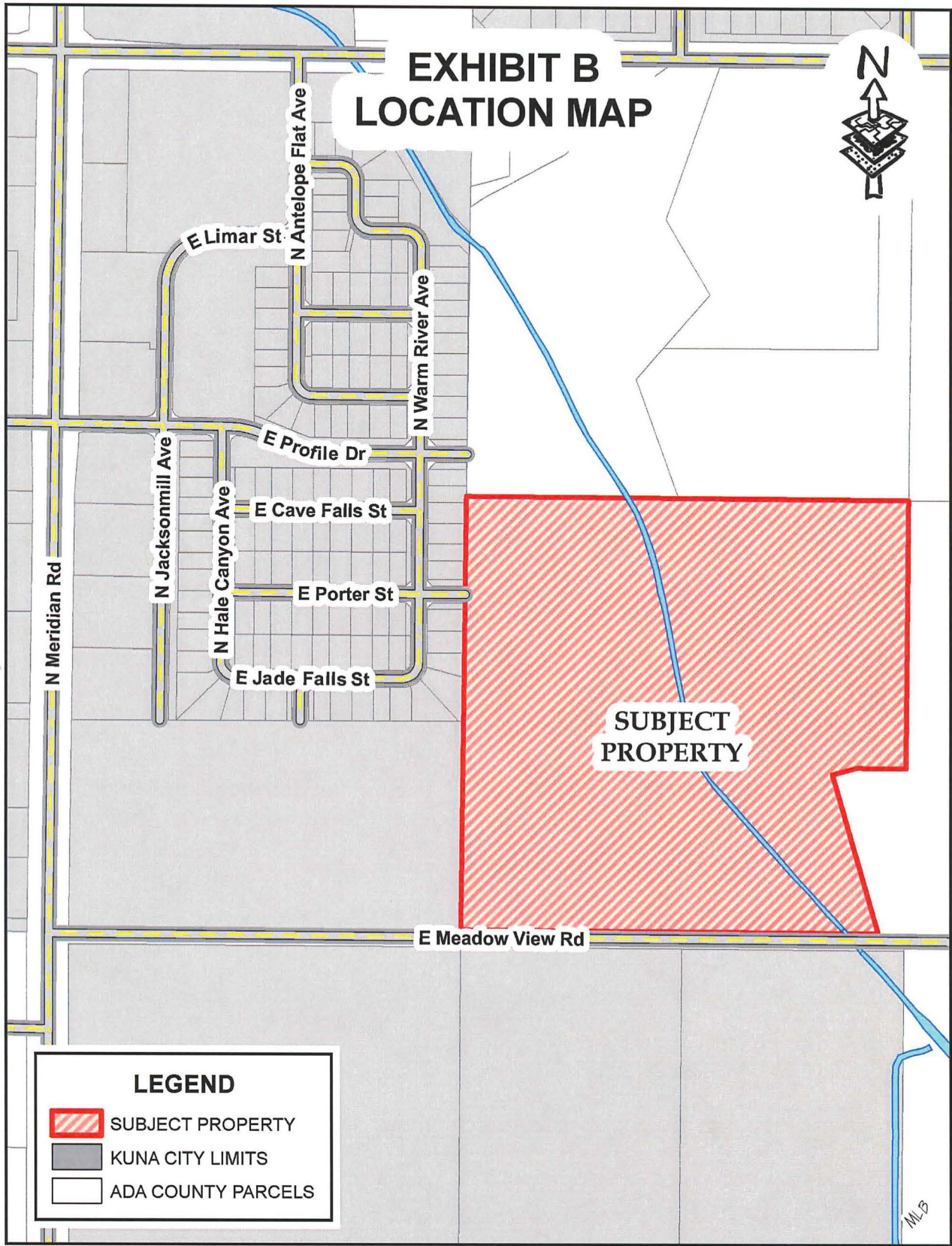
Thence S69°33'04"W a distance of 75.00 feet to a 5/8-inch rebar;

Thence S15°54'48"E a distance of 510.42 feet to a nail on the southerly line of said Southeast 1/4 of the Northwest 1/4 (nail bears N89°39'33"W a distance of 72.00 feet from an aluminum cap marking the center of said Section 19);


Thence following said southerly line N89°39'33"W a distance of 1,258.49 feet to the **POINT OF BEGINNING**.

Said parcel contains 38.617 acres, more or less.

# EXHIBIT B LOCATION MAP



**LEGEND**

-  SUBJECT PROPERTY
-  KUNA CITY LIMITS
-  ADA COUNTY PARCELS