

RECEIVED
8.15.17



City of Kuna
Planning & Zoning
Department
P.O. Box 13
Kuna, Idaho 83634
208.922.5274
Fax: 208.922.5989
Website: www.kunacity.id.gov

Rezone Checklist

Rezone requires public hearings with both the Planning & Zoning Commission and City Council. Public hearing signs will be required to be posted by the applicant for both meetings. Sign posting regulations are available online.

Project name: **Kelkehar 4-Plex** Applicant: **Scott Noriyuki Northside Management**

All applications are required to contain one copy of the following:

Applicant (✓)	Description	Staff (✓)
✓	Completed and signed Commission & Council Review Application.	✓
✓	Letter of Intent indicating reasons for proposed rezone . If reason for rezone is development, also submit a conceptual plan.	✓
✓	Vicinity map drawn to scale, showing the location of the subject property. Map shall contain the following information: Shaded area showing the rezone property, Street names and names of surrounding subdivisions.	✓
✓	Legal description of the rezone area: Include a metes & bounds description to the section line of all adjacent roadways stamped & signed by a registered professional land surveyor with a calculated closure sheet & a map showing the boundaries of the legal description.	✓
✓	Development Agreement & Development Agreement Checklist	
✓	Recorded warranty deed for the property.	✓
✓	Proof of ownership—A copy of your deed and Affidavit of Legal Interest. (All parties involved)	
✓	Neighborhood meeting certification (certification & neighborhood meeting list forms shall accompany this application).	✓
✓	Commitment of Property Posting form signed by the applicant/agent.	✓

Note: Only one copy of the above items need to be submitted when applying for multiple applications.

This application shall not be considered complete (nor will a Public Hearing be set) until staff has received all required information. Once the application is deemed complete, staff will notify the applicant of the scheduled hearing date, fees due, additional copies needed, etc.

Exhibit
A2

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Commission & Council Review Application

Note: Engineering fees shall be paid by the applicant if required.

*Please submit the appropriate checklist (s) with application

Type of Review (check all that apply):

- Annexation
- Appeal
- Comprehensive Plan Amendment
- Design Review
- Development Agreement
- Final Planned Unit Development
- Final Plat
- Lot Line Adjustment
- Lot Split
- Planned Unit Development
- Preliminary Plat
- Rezone
- Special Use
- Temporary Business
- Vacation
- Variance

For Office Use Only	
File Number (s)	17-07-26
Project name	Scott Moriyouki Rezone
Date Received	8/15/2017
Date Accepted/ Complete	
Cross Reference Files	
Commission Hearing Date	
City Council Hearing Date	

Contact/Applicant Information

Owners of Record: <u>JRL Properties LLC</u>	Phone Number: _____
Address: <u>2358 Titzenway</u>	E-Mail: _____
City, State, Zip: <u>Meridian, ID 83642</u>	Fax #: _____
Applicant (Developer): <u>Scott Moriyouki</u>	Phone Number: <u>208 230-1202</u>
Address: <u>6810 Fairhill Pl</u>	E-Mail: <u>scott@northsidemgmt.com</u>
City, State, Zip: <u>Boise, ID 83714</u>	Fax #: _____
Engineer/Representative: <u>Greg Carter</u>	Phone Number: <u>208 846-8570</u>
Address: <u>1450 E. Water Tower</u>	E-Mail: <u>gcarter@idaho-survey.com</u>
City, State, Zip: <u>Meridian, ID 83642</u>	Fax #: _____

Subject Property Information

Site Address: <u>E. Hubbard RD, Kuna, ID 83634</u>	
Site Location (Cross Streets): <u>SE Corner of Hubbard & Cider</u>	
Parcel Number (s): <u>R4865420080</u>	
Section, Township, Range: _____	
Property size: <u>1.96 Acres</u>	
Current land use: <u>Vacant</u>	Proposed land use: <u>Multi-Family</u>
Current zoning district: <u>R-4</u>	Proposed zoning district: <u>C-1</u>

Exhibit
A2a

Project Description

Project / subdivision name: Kelleher 4-Plex
General description of proposed project / request: Rezone & Development of 9 4-Plex Buildings
Type of use proposed (check all that apply):
 Residential Multi-Family
 Commercial _____
 Office _____
 Industrial _____
 Other _____
Amenities provided with this development (if applicable): Open space

Residential Project Summary (if applicable)

Are there existing buildings? Yes No
Please describe the existing buildings: N/A
Any existing buildings to remain? Yes No
Number of residential units: 36 Number of building lots: 1
Number of common and/or other lots: 0
Type of dwellings proposed:
 Single-Family _____
 Townhouses _____
 Duplexes _____
 Multi-Family _____
 Other _____
Minimum Square footage of structure (s): 5,616 S.F.
Gross density (DU/acre-total property): 18.9 Net density (DU/acre-excluding roads): _____
Percentage of open space provided: 20+ Acreage of open space: .39+
Type of open space provided (i.e. landscaping, public, common, etc.): Landscaping/Common

Non-Residential Project Summary (if applicable)

~~Number of building lots: _____ Other lots: _____
Gross floor area square footage: _____ Existing (if applicable): _____
Hours of operation (days & hours): N/A Building height: _____
Total number of employees: _____ Max. number of employees at one time: _____
Number and ages of students/children: _____ Seating capacity: _____
Fencing type, size & location (proposed or existing to remain): _____~~
Proposed Parking: a. Handicapped spaces: 9 Dimensions: As Required
b. Total Parking spaces: 56 Dimensions: 20x9
c. Width of driveway aisle: 24'
Proposed Lighting: Wall Packs & Light Poles
Proposed Landscaping (berms, buffers, entrances, parking areas, common areas, etc.): _____

Applicant's Signature: [Signature] Date: 8/6/17



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August 1st, 2017

Honorable Mayor and City Council
City of Kuna
W. 4th St.
Kuna, Idaho 83634

RE: E. Hubbard Rd (R4865420080) Rezone – Letter of Intent

Dear Mayor and Council,

As representative for JRL Properties, LP, please accept this application for the E. Hubbard Rd. Rezone located at the Northeast corner of W. Hubbard and N. Linder roads in Kuna, Idaho. The property contains 1.96 acres, currently zoned R-4. We are requesting to rezone the property to C-1 for the purposes of developing a Multi-Family project. The parcel has water, sewer and joint trench services stubbed to and sized appropriately for this proposed density and use. This letter is included with the appropriate land use application for a rezone, together with filing fees and various exhibits. The enclosed application has been submitted in accordance with the requirements of the Kuna City Unified Development Code.

The property lies within the existing Kelleher Subdivision and pressurized irrigation will be connected to the existing pump station. No variances or deed restrictions are requested with this application. Drainage will be handled by on-site detention areas and will be designed to the standards of all appropriate regulatory agencies.

This development provides a much needed, diversified and high quality residential use that compliments the other residential uses as well as the rapidly expanding development in the immediate area. This project was well received by the homeowners/property owners adjacent to the site during our Neighborhood meeting.

In conclusion, this will be a quality addition to the City of Kuna. We look forward to working with you and your staff and would request approval of this wonderful development.

Sincerely,

Scott Noriyuki
Northside Management

xhibit
A2b



ADA COUNTY RECORDER J. DAVID NAVARRO AMOUNT 3.00 1
BOISE IDAHO 02/12/07 04:07 PM
DEPUTY Neava Honey
RECORDED - REQUEST OF
Pioneer
107020894

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8151 W. Rifleman Ave. / Boise, Idaho 83704 / (208) 377-2700

ACCOMMODATION
OA 8534

QUITCLAIM DEED

224310

For Value Received

Oakwood Enterprises, LLC

do hereby convey, release, remise and forever quit claim unto

JRL Properties, L.P., as to an undivided 50% interest and
Glasgow Enterprises, LLC, as to an undivided 50% interest

whose address is 2364 S. Titanium, Meridian, Idaho 83642 ,

the following described premises, to-wit:

Lot 8 in Block 1 of Kelleher Subdivision, according to the plat thereof, filed in Book 96 of Plats at pages 11979-11982, records of Ada County, Idaho.

together with their appurtenances.

Dated: February 8, 2007

Oakwood Enterprises, LLC

STATE OF Idaho, County of Ada, ss

On this 12th day of February, in the year of 2007, before me The Undersigned, a notary public, personally appeared Idan Laude, known or identified to be one of the member(s)/manager(s) in a limited liability company, of Oakwood Enterprises, LLC and the member(s)/manager(s) who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that he/she/they executed the same in said limited liability company name.



Shannon Moser

Notary Public of Idaho
Residing at Boise
Commission expires: 03-25-10

Exhibit A2d Exhibit A2f



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Parcel Report

^ Owner Information		
Parcel	R4865420080	Ada County Assessor
Property Address	E HUBBARD RD	
Property City	KUNA, ID 83634-0000	
Primary Owner	JRL PROPERTIES LP	
Second Owner	GLASGOW ENTERPRISES LLC	
Owner Address	2358 S TITANIUM MERIDIAN, ID 83642-0000	

^ Plat Documents		
Subdivision	KELLEHER	Documents
		11979 - KELLEHER.01.pdf 11979 - KELLEHER.02.pdf 11979 - KELLEHER.03.pdf 11979 - KELLEHER.04.pdf

^ Parcel Information					
Parcel	R4865420080	Primary Owner	JRL PROPERTIES LP	Property Address	E HUBBARD RD

Exhibit
A2f

Property City	KUNA, ID 83634-0000	Total Value	170900	Acres	1.96
Second Owner	GLASGOW ENTERPRISES LLC	Owner Address	2358 S TITANIUM MERIDIAN, ID 83642-0000	Zoning	R-4
Subdivision	KELLEHER SUB	Section		Property Year	2015
Code Area	04	Property Code	L	Home Exemption	0
Legal 1	LOT 08 BLK 01	Legal 2	KELLEHER SUB	Legal 3	
Legal 4		Legal 5		Date Updated	2015-11-30

^ Land Characteristics

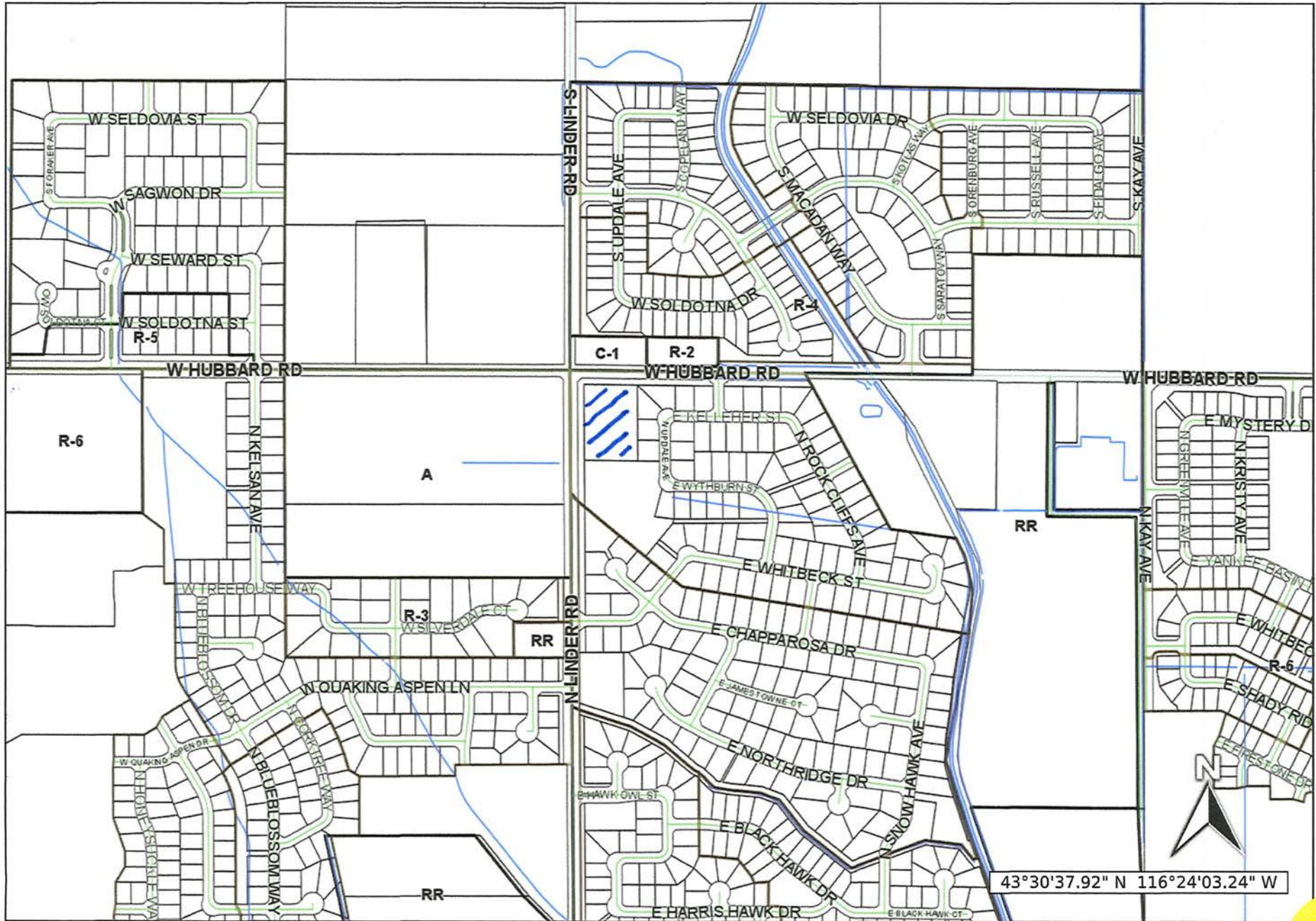
Parcel	R4865420080	Residential Code	0	Commercial Code	210
Other Code	0	Residential Acres	0.000	Commercial Acres	1.962
Other Acres	0.000	Neighborhood Type		Neighborhood Condition	
Street		Utilities		Water Source	
Sewer		Sidewalks	N	Curb Gutter	N
Topography		View Quality		Water Influence	
Commercial Frontage	0	Corner Lot	N	Date Updated	2015-11-30

^ Taxing Districts

Code Area: 04	Tax Code: 004-0000 City	Description: ADA COUNTY
Code Area: 04	Tax Code: 004-0000 City	Description: ADA COUNTY AMBULANCE
Code Area: 04	Tax Code: 004-0000 City	Description: COLLEGE OF WESTERN IDAHO
Code Area: 04	Tax Code: 004-0000 City	Description: COUNTY WIDE HIGHWAY
Code Area: 04	Tax Code: 004-0000 City	Description: KUNA (CITY)
Code Area: 04	Tax Code: 004-0000 City	Description: KUNA CEMETERY
Code Area: 04	Tax Code: 004-0000 City	Description: KUNA RURAL FIRE
Code Area: 04	Tax Code: 004-0000 City	Description: KUNA SCHOOL #3

Vicinity Map

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City of Kuna
**COMMITMENT TO
PROPERTY POSTING**

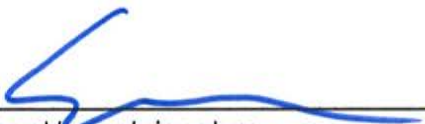
City of Kuna
P.O. Box 13
Kuna, Idaho 83634
Phone: (208) 922-5274
Fax: (208) 922-5989
Web: www.cityofkuna.com

Per City Code 5-1A-8, the applicant for all applications requiring a public hearing shall post the subject property not less than ten (10) days prior to the hearing. The applicant shall post a copy of the public hearing notice or the application (s) on the property under consideration.

The applicant shall submit proof of property posting in the form of a notarized statement and a photograph of the posting to the City no later than seven (7) days prior to the public hearing attesting to where and when the sign (s) were posted. Unless such Certificate is received by the required date, the hearing will be continued.

The sign (s) shall be removed no later than three (3) days after the end of the public hearing for which the sign (s) had been posted.

I am aware of the above requirements and will comply with the posting requirements as stated in Kuna City Code 5-1A-8



Applicant/agent signature

8/11/17

Date





Neighborhood Meeting Certification

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CITY OF KUNA PLANNING & ZONING * 763 W. Avalon, Kuna, Idaho, 83634 * www.kunacity.id.gov * (208) 922-5274 * Fax: (208) 922-5989

GENERAL INFORMATION:

You must conduct a neighborhood meeting prior to application for variance, conditional use, zoning ordinance map amendment, expansion or extension of a nonconforming use, and/or a subdivision. Please see Section 8-7A-3 of the Kuna City Code or ask one of our planners for more information on neighborhood meetings.

The meeting must be held either on a weekend between 10 a.m. and 7 p.m., or a weekday between 6 p.m. and 8 p.m. Meetings cannot be conducted on holidays, holiday weekends, or the day before or after a holiday or holiday weekend. The meeting must be held at one of the following locations:

- The Subject Property;
- The nearest available public meeting place (Examples include fire stations, libraries and community centers);
- An office space within a 1-mile radius of the subject property.

The meeting cannot take place more than 2 months prior to acceptance of the application and the application will not be accepted before the neighborhood meeting is conducted. You are required to send written notification of your meeting, allowing a reasonable amount of time before your meeting for property owners to plan to attend. Contacting and/or meeting individually with residents will not fulfill Neighborhood Meeting requirements.

You may request a list of the people you need to invite to the neighborhood meeting from our department. This list includes property owners within 300 feet of the subject property. Once you have held your neighborhood meeting, please complete this certification form and include it with your application.

Please Note: The neighborhood meeting must be conducted in one location for attendance by all neighboring residents. Contacting and/or meeting individually with residents does not comply with the neighborhood meeting requirements.

Please include a copy of the sign-in sheet for your neighborhood meeting, so we have written record of who attended your meeting and the letter of intent sent to each recipient. In addition, provide any concerns that may have been addressed by individuals that attended the meeting.

Description of proposed project: Rezone

Date and time of neighborhood meeting: 6/13/17 @ 5pm - 6pm

Location of neighborhood meeting: E. Hubbard Rd - see Attached Invite

SITE INFORMATION:

Location: Quarter: - Section: - Township: - Range: - Total Acres: 1.96

Subdivision Name: Kelleher Sub Lot: 8 Block: 1

Site Address: E. Hubbard Rd Tax Parcel Number(s): R4865420080

Please make sure to include **all** parcels & addresses included in your proposed use.

CURRENT PROPERTY OWNER:

Name: JRL Properties LP

Address: 738 S. Bridgeway City: Boise State: ID Zip: 83616

CONTACT PERSON (Mail recipient and person to call with questions):

Name: Scott Noriyuki Business (if applicable): NorthSide Management

Address: 6810 Fairhill PL City: Boise State: ID Zip: 83714



PROPOSED USE:

I request a neighborhood meeting list for the following proposed use of my property (check all that apply):

Application Type

Brief Description

- Annexation _____
- Re-zone _____
- Subdivision (Sketch Plat and/or Prelim. Plat) _____
- Special Use _____
- Variance _____
- Expansion of Extension of a Nonconforming Use _____
- Zoning Ordinance Map Amendment _____

Complete

APPLICANT:

Name: Scott Norinskyki

Address: 6810 Fairhill Pl

City: Boise State: ID Zip: 83714

Telephone: 208-230-1202 Fax: _____

I certify that a neighborhood meeting was conducted at the time and location noted on this form and in accord with Section 5-1 A-2 of the Kuna City Code

Signature: (Applicant)  Date 8/1/17



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June 5th, 2017

RE: Invitation to Neighborhood Meeting

Dear Neighbor.

On behalf of my client, I am pleased to invite you to a Neighborhood Meeting June 13th, 2017 to review the status of our Rezone application. The meeting will be held on-site at E. Hubbard Road, Kuna, ID. The meeting will be held between 5:00 pm and 6:00 pm. See map below for detailed location.



At this time we are Not requesting to modify the site or build new structures. This rezone request is in conformance with the City of Kuna Comprehensive Land Use Plan and simply allows for the properties future to be known from a planning standpoint.

Thank you and we look forward to meeting with you.

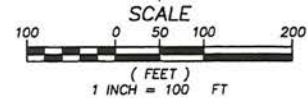
Sincerely,

Scott Noriyuki
Northside Management
scott@northsidemgt.com

KELLEHER SUBDIVISION

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF SECTION 13,
T.2N., R.1W., B.M., CITY OF KUNA, ADA COUNTY, IDAHO
2006

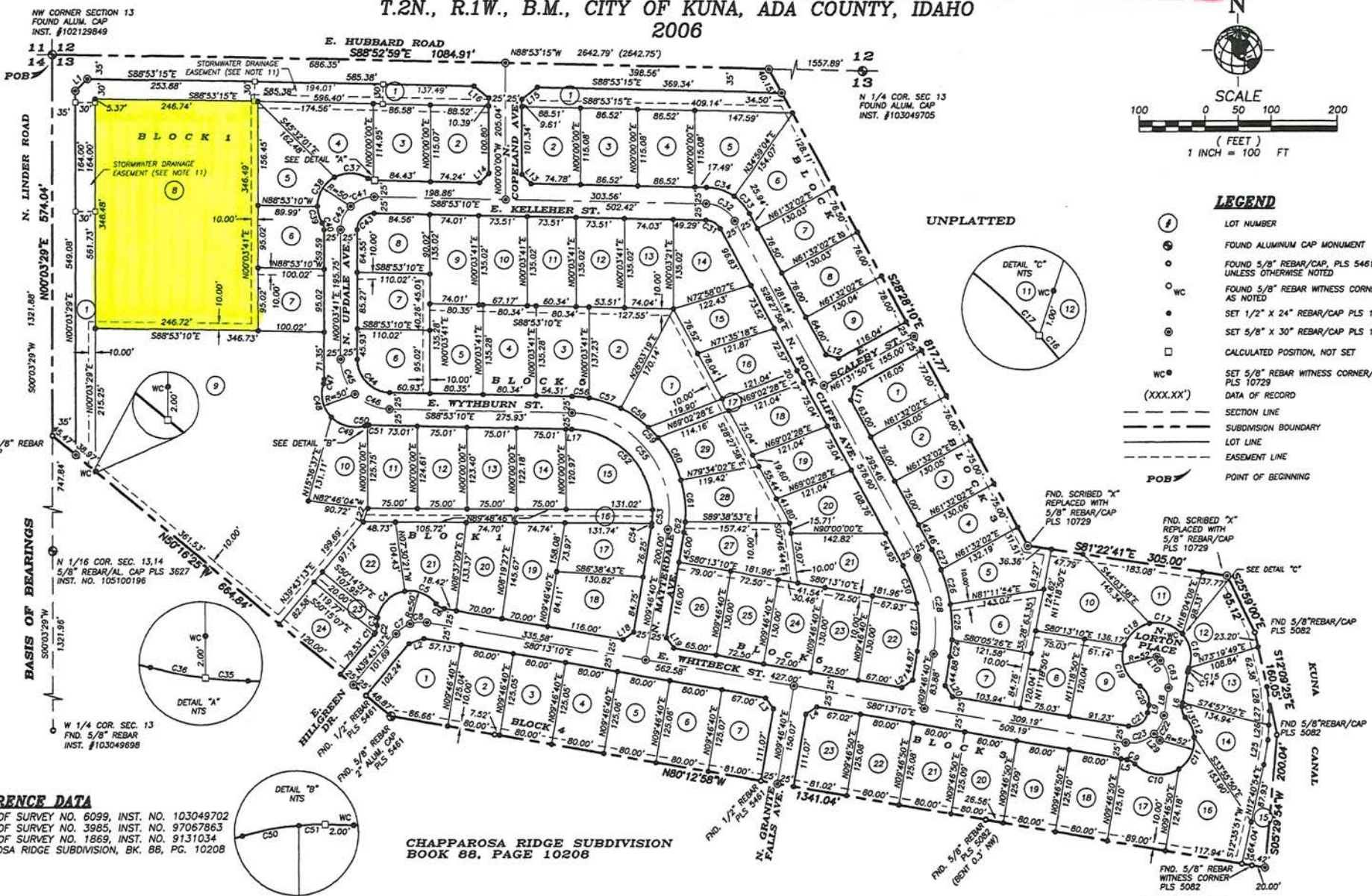
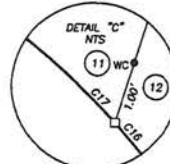
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LEGEND

- ① LOT NUMBER
- FOUND ALUMINUM CAP MONUMENT
- FOUND 5/8" REBAR/CAP, PLS 5461 UNLESS OTHERWISE NOTED
- WC FOUND 5/8" REBAR WITNESS CORNER, AS NOTED
- SET 1/2" X 24" REBAR/CAP PLS 10729
- ⊙ SET 5/8" X 30" REBAR/CAP PLS 10729
- CALCULATED POSITION, NOT SET
- WC● SET 5/8" REBAR WITNESS CORNER/CAP PLS 10729
- (XXX.XX) DATA OF RECORD
- SECTION LINE
- - - - - SUBDIVISION BOUNDARY
- — — — — LOT LINE
- · - · - EASEMENT LINE
- POB POINT OF BEGINNING

UNPLATTED



REFERENCE DATA
 RECORD OF SURVEY NO. 6099, INST. NO. 103049702
 RECORD OF SURVEY NO. 3985, INST. NO. 97067863
 RECORD OF SURVEY NO. 1869, INST. NO. 9131034
 CHAPPAROSA RIDGE SUBDIVISION, BK. 88, PG. 10208

CHAPPAROSA RIDGE SUBDIVISION
BOOK 88, PAGE 10208

NOTES
 1. SEE SHEET 2 OF 4 FOR LINE AND CURVE TABLES.
 2. SEE SHEET 2 OF 4 FOR SUBDIVISION NOTES.

Exhibit
C1

Travis P. Foster
 PROFESSIONAL LAND SURVEYOR
 REGISTERED
 10729
 STATE OF IDAHO
 TRAVIS P. FOSTER
 10/4/06

W&H PACIFIC
 3130 S. Owyhee St.
 Boise, Idaho 83705-4768
 (208)342-5400
 (208)342-5353 Fax
 wbpacific.com

PK 76 PG 11980

KELLEHER SUBDIVISION

A PARCEL OF LAND LOCATED IN THE NW 1/4 OF SECTION 13,
T.2N., R.1W., B.M., CITY OF KUNA, ADA COUNTY, IDAHO
2006

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LINE	BEARING	LENGTH
L1	N45°35'07"E	25.69
L2	N68°45'02"E	24.07
L3	S35°13'15"E	19.80
L4	N54°46'45"E	19.80
L5	S80°13'10"E	9.44
L6	N08°23'11"E	5.80
L7	N02°23'08"E	40.53
L8	N02°23'02"E	42.08
L9	N02°23'09"E	11.96
L10	N41°22'58"W	8.55
L11	N16°32'02"E	19.80
L12	N73°27'58"W	19.80
L13	N44°26'35"W	19.61
L14	S45°33'25"W	19.99
L15	N42°22'48"E	29.48
L16	S31°15'54"E	28.93
L17	S88°53'10"E	8.51
L18	S54°46'45"W	19.80
L19	N35°13'15"W	19.80
L20	N35°13'15"W	19.80
L21	S54°46'45"W	19.80
L22	S18°18'57"W	21.04
L23	N10°20'48"E	37.85
L24	N03°15'38"E	22.45
L25	N03°15'38"E	21.63
L26	N08°17'22"W	36.43
L27	N42°40'06"W	13.01

CURVE	DELTA	RADIUS	ARC	CH. BRG.	CHORD
C1	8°38'06"	20.00	3.01	N35°24'10"E	3.01
C2	33°44'26"	20.00	11.78	N14°12'54"E	11.81
C3	13°27'37"	50.00	11.75	S04°04'28"W	11.72
C4	70°22'08"	50.00	61.41	S45°59'22"W	57.82
C5	60°58'58"	50.00	53.22	N88°20'08"E	50.74
C6	42°24'33"	20.00	14.79	S82°01'54"E	14.46
C7	30°01'48"	50.00	26.21	S84°44'08"W	25.91
C8	30°01'48"	50.00	26.21	S84°45'56"W	25.91
C9	37°39'32"	20.00	13.15	N61°23'24"W	12.91
C10	80°49'20"	52.00	73.35	S82°58'18"E	67.42
C11	61°28'01"	52.00	55.74	N25°54'32"E	53.11
C12	37°07'57"	52.00	33.70	N23°21'57"W	33.11
C13	51°18'04"	20.00	17.91	S16°16'23"E	17.32
C14	14°15'00"	13.00	3.23	S16°30'39"W	3.22
C15	42°15'01"	52.00	3.99	N21°48'14"E	3.99
C16	60°43'28"	52.00	55.11	N11°07'25"E	52.57
C17	60°08'38"	52.00	54.58	N71°33'28"W	52.11
C18	59°02'22"	52.00	53.58	S48°51'02"W	51.24
C19	79°57'37"	52.00	72.57	S20°38'57"E	66.82
C20	70°00'54"	27.00	32.99	N26°37'19"W	30.98
C21	90°23'41"	25.00	39.44	N54°34'59"E	35.48
C22	37°21'55"	50.00	32.61	N28°04'08"E	32.03
C23	53°01'42"	50.00	46.28	N73°15'57"E	44.64
C24	8°59'54"	250.00	26.17	N08°44'37"E	26.18
C25	12°23'17"	250.00	54.05	N02°24'54"W	53.95
C26	12°22'44"	250.00	54.01	N14°47'54"W	53.91
C27	7°28'42"	250.00	32.63	N24°43'37"W	32.61
C28	38°14'38"	225.00	150.18	N09°20'39"W	147.41
C29	20°49'56"	200.00	72.72	N00°38'18"W	72.32
C30	17°24'42"	200.00	60.78	N19°45'37"W	60.54
C31	60°25'12"	25.00	26.36	N58°40'54"W	25.16
C32	60°25'12"	50.00	52.73	N58°40'54"W	50.32
C33	26°21'55"	75.00	34.51	N41°38'55"W	34.21
C34	34°03'17"	75.00	44.58	N71°51'31"W	43.92
C35	8°10'11"	20.00	2.15	S85°48'04"E	2.15
C36	24°52'45"	20.00	8.68	S70°16'36"E	8.62
C37	60°38'55"	50.00	52.93	N88°09'41"W	50.49
C38	62°01'18"	50.00	54.12	S30°30'12"W	51.52
C39	30°28'48"	50.00	26.60	S15°44'51"E	26.29
C40	31°02'56"	20.00	10.84	N15°27'47"W	10.71
C41	45°31'35"	50.00	39.73	S88°21'03"W	38.69
C42	45°31'35"	50.00	39.73	S22°49'28"W	38.69
C43	91°03'09"	25.00	39.73	S45°35'15"W	35.68
C44	88°56'51"	50.00	77.62	S44°24'44"E	70.08
C45	44°28'25"	75.00	58.22	S22°10'32"E	56.77
C46	44°28'25"	75.00	58.22	S65°38'57"E	56.77
C47	18°14'30"	20.00	6.37	N08°10'56"E	6.34
C48	62°42'55"	50.00	54.73	S13°03'17"E	52.04
C49	62°42'55"	50.00	54.73	S79°46'12"E	52.04
C50	12°30'36"	20.00	4.37	S29°02'38"W	4.36
C51	84°34'41"	20.00	2.00	S88°14'53"W	2.00
C52	87°10'10"	125.00	190.17	N45°18'05"W	172.36
C53	9°11'14"	125.00	20.04	N02°52'37"E	20.02
C54	2°18'26"	125.00	5.03	N08°37'27"E	5.03
C55	88°39'30"	150.00	258.30	N39°33'15"W	227.55
C56	8°34'04"	175.00	26.17	N84°36'08"W	26.14
C57	16°27'04"	175.00	50.25	N72°05'34"W	50.07
C58	16°37'15"	175.00	50.77	N55°33'25"W	50.59
C59	7°08'18"	175.00	21.70	N43°41'40"W	21.68
C60	23°58'24"	175.00	73.12	N28°10'21"W	72.59
C61	20°48'47"	175.00	63.57	N05°47'45"W	63.22
C62	5°10'02"	175.00	15.78	N07°11'39"E	15.78
C63	50°46'06"	50.00	44.30	N15°59'55"W	42.87

NOTES

- LOT 1, BLOCK 1, LOT 1, BLOCK 2, LOT 9, BLOCK 1, LOT 16, BLOCK 1, LOT 23, BLOCK 1, AND LOT 17, BLOCK 5 ARE COMMON AREA LOTS FOR THE PURPOSE OF UTILITIES, LANDSCAPE, RETENTION PONDS AND/OR INGRESS/EGRESS EASEMENTS AS SHOWN AND ARE TO BE OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION. LANDSCAPE OVER SAID LOTS SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION. LOTS SHALL REMAIN FREE OF ENCROACHMENTS AND OBSTRUCTIONS WHICH MAY ADVERSELY IMPACT THE DRAINAGE SYSTEM.
- A 10 FOOT WIDE PERMANENT EASEMENT FOR PUBLIC UTILITIES, DRAINAGE, AND IRRIGATION IS HEREBY DESIGNATED ALONG THE SUBDIVISION BOUNDARY, AND THE FRONT AND REAR LOT LINES, UNLESS OTHERWISE DIMENSIONED. A 5 FOOT WIDE PERMANENT EASEMENT FOR PUBLIC UTILITIES, DRAINAGE, AND IRRIGATION IS HEREBY DESIGNATED ALONG EACH SIDE OF INTERIOR LOT LINES, UNLESS OTHERWISE DIMENSIONED.
- ALL SIDEWALKS SHALL BE MAINTAINED BY THE ADA COUNTY HIGHWAY DISTRICT, AND AN EASEMENT FOR THOSE PORTIONS OF THE SIDEWALK LYING OUTSIDE THE RIGHT-OF-WAY HAS BEEN RECORDED AS INSTRUMENT NO. 106048495.
- THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF IDAHO CODE, RIGHT TO FARM ACT, WHICH STATES "NO AGRICULTURAL OPERATION OR AN APPURTENANCE TO IT SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN. PROVIDED, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPURTENANCE TO IT."
- IRRIGATION WATER HAS BEEN PROVIDED FROM NEW YORK IRRIGATION DISTRICT, IN COMPLIANCE WITH IDAHO CODE 31-3805(B). LOTS WITHIN THE SUBDIVISION WILL BE ENTITLED TO IRRIGATION WATER RIGHTS, AND WILL BE OBLIGATED FOR ASSESSMENTS FROM NEW YORK IRRIGATION DISTRICT, OR THEIR ASSIGNS.
- ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE REGULATIONS IN EFFECT AT THE TIME OF THE RESUBDIVISION.
- MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF KUNA APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
- DIRECT LOT ACCESS TO N. LINDER ROAD AND E. HUBBARD ROAD FROM ANY LOT OTHER THAN LOT 8, BLOCK 1 IS PROHIBITED.
- LOT 15, BLOCK 3 IS FOR THE PURPOSE OF THE KUNA CANAL EASEMENT, TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
- LOT 8, BLOCK 1 IS DESIGNATED AS A COMMERCIAL LOT TO BE OWNED AND MAINTAINED BY OAKWOOD ENTERPRISES, LLC.
- ALL OF LOTS 9 AND 23 BLOCK 1, AND LOT 17 BLOCK 5, AND A PORTION OF LOT 1 BLOCK 1 AS SHOWN ON THE FACE OF THIS PLAT ARE SERVANT TO AND CONTAINS THE ACHD STORM WATER DRAINAGE SYSTEM. THIS LOT IS ENCUMBERED BY THAT CERTAIN MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED ON JUNE 1, 2004 AS INSTRUMENT NO. 104068411, OFFICIAL RECORDS OF ADA COUNTY, AND INCORPORATED HEREBY BY THIS REFERENCE AS IF SET FORTH IN FULL (THE "MASTER EASEMENT"). THE MASTER EASEMENT AND THE STORM WATER DRAINAGE SYSTEM ARE DEDICATED TO ACHD PURSUANT TO SECTION 40-2302 IDAHO CODE. THE MASTER EASEMENT IS FOR THE OPERATION AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM.

L.P. Foster
 10729
 10/12/06
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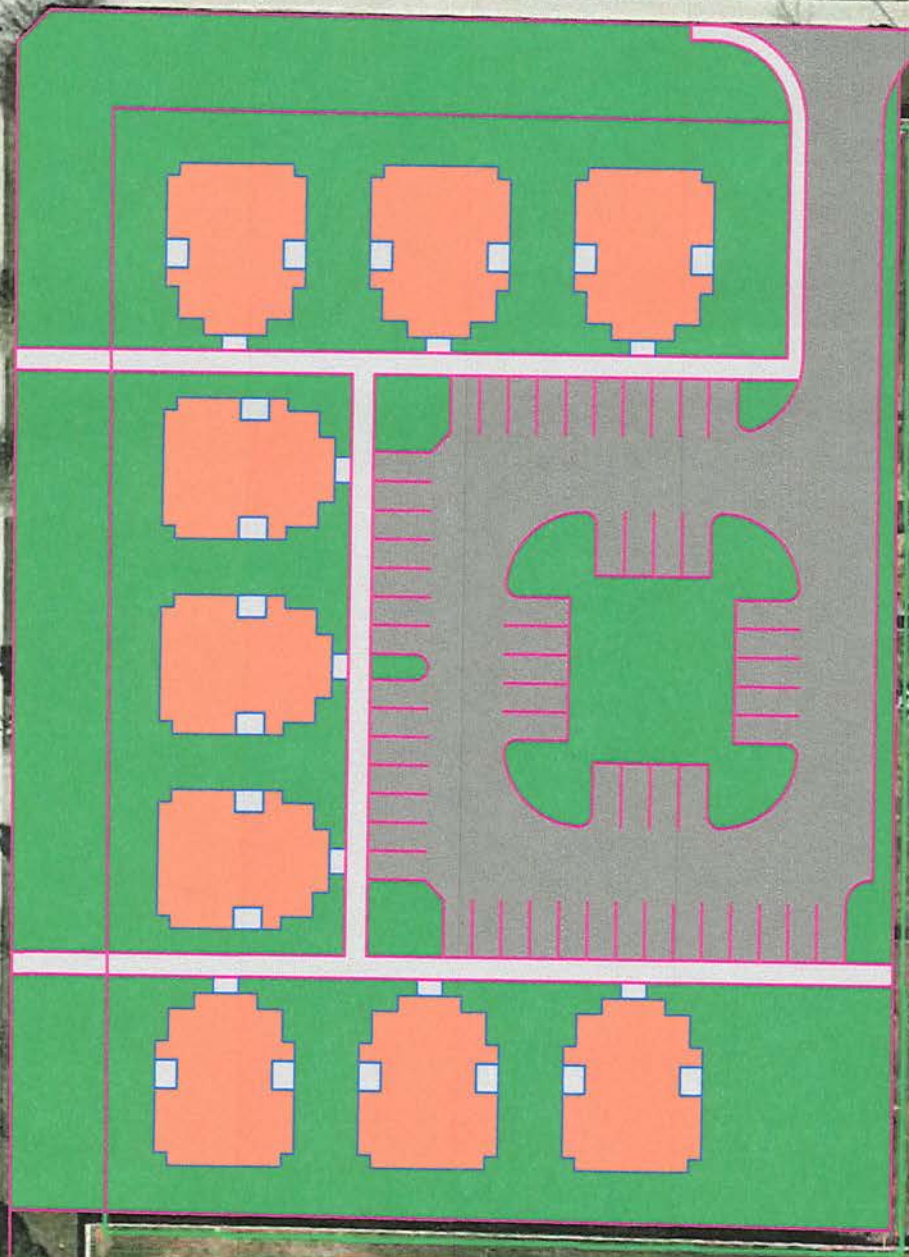
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CH
Exhibit

W Hubbard Rd

Linder Rd

N Update Ave



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