



**Re-record #361508  
To correct the legal.**

**ORDINANCE NO. 1046**

**AN ORDINANCE AMENDING AND CHANGING THE ZONING MAP OF THE CITY OF REXBURG, IDAHO, AND PROVIDING THAT THE ZONED DESIGNATION OF THAT CERTAIN PROPERTY HEREINAFTER DESCRIBED, SITUATED IN REXBURG, MADISON COUNTY, IDAHO, BE CHANGED AS HEREINAFTER DESIGNATED; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.**

BE IT ORDAINED BY the City of Rexburg, Idaho:

**SECTION I:** That the zoning map of the City of Rexburg, Idaho, which is filed with the city clerk thereof, be, and the same is hereby amended and changed to provide that the hereinafter described property situated in the City of Rexburg, Madison County, State of Idaho, be zoned as follows:

**Area One (1) – at 325 and approximately 275 North 1<sup>st</sup> East** regarding file No. 10-00070, re-zone from Light Industrial (LI) and Professional Office (PO) to Mixed Use (MU2) as hereinafter set forth:

**Tract 1 and 2:** Beginning at a point 76 feet North of the Southeast corner of Lot 1, Block 15 of the Original Rexburg Townsite, Madison County, Idaho, as per the recorded plat thereof; and running thence West 135.1 feet; thence South 16 feet; thence West 62.9 feet, thence North 11 feet; thence West 133 feet; thence North 15.6 feet; thence East 112.4 feet, thence North 100.2 feet; thence West 112.4 feet; thence North 539.2 feet to the Northwest Corner of Lot 1, Block 4 of the Original Rexburg Townsite; thence East 330 feet to the Northeast Corner of said Lot 1, Block 4, thence South 318 feet; thence West 85 feet; thence South 200 feet; thence East 85 feet; thence South 132 feet to the point of beginning. Subject to a right of way for ingress and egress across the South half of Lot 1, Block 15, Original Rexburg Townsite.

**Area Two (2) – at 577 South 5<sup>th</sup> West**, regarding file No.10 00115, re-zone from Medium Density Residential 1 (MDR1) to Medium Density Residential 2 (MDR2) as hereinafter set forth:

Commencing at a point which is the Southwest corner of Lot 3, Block 6 of the Klingler Addition to the City of Rexburg, as per the recorded plat thereof, Madison County, Idaho, and thence North 102 feet; thence East 297 feet; thence South 102 feet; thence West 297 feet to the point of beginning.

**Area Three (3) – at 248 West 3<sup>rd</sup> South and 249 South 3<sup>rd</sup> West**, regarding file No.10 00141, re-zone from Medium Density Residential 1 (MDR1) to Medium Density Residential 2 (MDR2) as hereinafter set forth:

**248 West 3<sup>rd</sup> South**

**TRACT 1:**

Commencing at a point 132 feet West of the Southeast corner of Lot 3, Block 7 of the South End Addition to the City of Rexburg, Madison County, Idaho, as per the recorded plat thereof, and running thence North 115 feet; thence East 66 feet; thence South 115 feet; thence West 66 feet to the point of beginning.

**TRACT 2:**

Commencing at the Southeast corner of Lot 3, Block 7, of the South End Addition to the City of Rexburg, Idaho, Madison County, Idaho, and running thence West 66 feet; thence North 115 feet; thence West 66 feet; thence North 83 feet; thence East 132 feet; thence South 198 feet to the point of beginning.

**249 South 3<sup>rd</sup> West**

**TRACT 1:**

Commencing at a point 12 rods North of the Southwest corner of Lot 3, Block 7 of the South End Addition to the City of Rexburg, Madison County, Idaho, as per the recorded plat thereof, and running thence East 230 feet; thence North 8 rods; thence West 230 feet; thence South 8 rods to the point of beginning.

**TRACT 2:**

Commencing at a point 8 rods North and 6 rods East of the Southwest corner of Lot 3, Block 7 of the South End Addition to the City of Rexburg, County of Madison, State of Idaho, as per the recorded plat thereof, and running thence North 4 rods; thence East 6 rods; thence South 4 rods; thence West 6 rods to the point of beginning.

At such hearing the City Council will hear all persons and all objections and recommendations relative to such proposal. The City Clerk will also accept written comments at City Hall prior to 4:00 p.m. May 19, 2010.

**SECTION II:** That a new zoning map showing these amendments shall be certified to and declared to be the official zoning map of the City of Rexburg by passage of this Ordinance by the City Council of the City of Rexburg.

**SECTION III:** This ordinance shall become effective upon its passage, approval and publication.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR on this 2<sup>nd</sup> day of June, 2010.

(SEAL)

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Richard Woodland, Mayor

ATTEST:

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Blair D. Kay, City Clerk

STATE OF IDAHO) )ss.  
County of Madison )

I, BLAIR D. KAY, City Clerk of the city of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the Ordinance Entitled:

**AN ORDINANCE AMENDING AND CHANGING THE ZONING MAP OF THE CITY OF REXBURG, IDAHO, AND PROVIDING THAT THE ZONED DESIGNATION OF THAT CERTAIN PROPERTY HEREINAFTER DESCRIBED, SITUATED IN REXBURG, MADISON COUNTY, IDAHO, BE CHANGED AS HEREINAFTER DESIGNATED; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.**

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 2<sup>nd</sup> day of June, 2010.

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Blair D. Kay, City Clerk

(SEAL)