



ORDINANCE NO. 713

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF REXBURG, IDAHO; DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF REXBURG, IDAHO; AND AMENDING AND CHANGING THE ZONING MAP OF THE CITY OF REXBURG, IDAHO, AND THE MADISON COUNTY-REXBURG COMPREHENSIVE PLAN 2000 TO SHOW SUCH ANNEXATION AND THE CLASSIFICATION OF THE SAME UNDER THE ZONING ORDINANCE OF THE CITY OF REXBURG, IDAHO; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

WHEREAS, the lands hereinafter described are contiguous and adjacent to the City of Rexburg, Idaho, and have been laid off, subdivided or platted, and/or the City has been requested to annex the same to the City of Rexburg, Idaho and

WHEREAS, it appears to the Mayor and City Council of the City of Rexburg, Idaho, that the hereinafter described property is subject to annexation to the City of Rexburg under and pursuant to the provisions of Section 50-222, Idaho Code, and that said land should be annexed to and become a part of the City of Rexburg, Idaho, and

WHEREAS, the City Council referred the zoning of the affected territory for report and recommendations to the Planning and Zoning Commission, and the Planning and Zoning Commission made its report and recommendations for zoning classification of the hereinafter described property proposed to be annexed, and

WHEREAS, the Council has determined that the proper classification under the Zoning Ordinance of the City of Rexburg, Idaho, for the property to be annexed is as hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF REXBURG, AS FOLLOWS:

SECTION I: That the following described lands situated in Madison County, Idaho, to-wit:

A part of the Northwest quarter of Section 20, T6N, R40E, Boise Base & Meridian, Rexburg, Idaho, beginning at a point on the East line of Highway 33 which is South 0 14'15" East 794.00 feet along the section line, and North 89 41'33" East 50.00 feet from the Northwest corner of said Section 20, and running thence North 89 31'43" West 110.0 feet, thence South 514.69 feet to the center of the South Fork of the Teton River, thence four courses along said center line as follows: South 80 45' West 434.31 feet, South 87 45' West 70.0 feet, South 78 30' West 135.0 feet, and North 79 35' West 200.0 feet to the East line of said Highway 33, thence North 0 14'15" West 1058.11 feet along said East line to the point of beginning.

shall be, and the same hereby is annexed to the City of Rexburg and shall be, and is hereby declared to be a part of the City of Rexburg, Idaho. The property is hereby classified and zoned as HBD, which would permit the use of the said property as a community shopping center, contingent upon the sale of the above parcels from the Walker family to Western Land Holdings.

SECTION II: If the Walker family sells said parcels to Western Land Holdings, that the above described property hereby annexed to the City of Rexburg be, and the same is hereby classified under the Zoning Ordinance of the City of Rexburg as above set forth; that the Zoning Map and the <Madison County-Rexburg Comprehensive Plan 2000 shall be amended to show this annexation and classification of the above described property so annexed and that said amendment shall be certified to and declared to be the official Zoning Map of the City of Rexburg by a certificate of the Mayor and Council of the City of Rexburg endorsed thereon.

SECTION III: This ordinance shall be in full force and effect from and after its passage, approval and due publication.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 17th day of July, 1991.

Nile L. Boyle, Mayor

(SEAL)

ATTEST:

Rose Bagley, City Clerk

AMENDED BY ORD. 726