



ORDINANCE NO. 755

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 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:

TRACT 1. The North 42 rods of the Northwest Quarter of Section 25, Township 6 North, Range 39 East, Boise Meridian, Madison County, Idaho. EXCEPTING THEREFROM: Commencing at the Northeast corner of the Northwest Quarter of Section 25, Township 6 North, Range 19 East, aforesaid, and running thence

South 330 feet, thence West 120 feet, thence North 330 feet, thence East 120 feet to the place of beginning.

Together with a right of way described as follows: Commencing at the Northeast corner of the Northwest Quarter of Section 25, Township 6 North, Range 39 East, Boise Meridian, and running thence South 330 feet, thence West 16.5 feet, thence North 330 feet, thence East 120 feet to the place of beginning. Less that portion heretofore deeded to the State of Idaho in the Second Judgment and Decree of Condemnation recorded March 14, 1981, as Instrument No. 202915, in the records of Madison County, Idaho.

TRACT 2: Commencing at the Northeast corner of the Northwest Quarter of Section 25, Township 6 North, Range 39 East, Boise Meridian, Madison County, Idaho, and running thence South 330 feet, thence West 120 feet, thence North 330 feet, thence East 120 feet to the place of beginning.

Subject to a right of way described as follows: Commencing at the Northeast corner of the Northwest Quarter of said Section 25, and running thence South 330 feet, thence West 16.5 feet, thence North 330 feet, thence East 120 feet to the point of beginning.

EXCEPTING from both tracts any property lying west of U.S. 20.

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 for construction of a motel, restaurant and mini-mall.

SECTION II: 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 2nd day of February, 1994.

Nile L. Boyle, Mayor

(SEAL)

ATTEST:

Rose Bagley, City Clerk

STATE OF IDAHO)

)ss.

County of Madison)

I, ROSE BAGLEY, 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 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.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 2nd day of February, 1994.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City of Rexburg, Idaho, this 2nd day of February, 1994.

Rose Bagley, City Clerk

(SEAL)