



ORDINANCE NO. 893 (Corrected - Instrument # 305647)

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 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 determined to be reasonably necessary to assuring the orderly development of 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, shall be annexed with the designated zoning classification, to-wit:

Annexation Area Two (2):

This property is at the corner of Main Street and 12th West Street. Said annexation of **Area two (2)**, is intended to, and shall include the following parcels as described by the following legal descriptions:

Tract 2a

Beginning at a point that is East along the Section line 375.00 feet and North 371.70 feet from the Southwest Corner of Section 24, Township 6 North, Range 39 East of the Boise Meridian; running thence North 475.00 feet; thence West 377.34 feet to the West line of said Section 24; thence S. 00109=30@ E. along said West line 475.00 feet; thence East 376.03 feet to the point of beginning.

Tract 2b

Beginning at the Southwest Corner of Section 24, Township 6 North, Range 39 East of the Boise Meridian; running thence East along the Section line 375.00 feet; thence North 371.70 feet; thence West 376.03 feet to the West line of said Section 24; thence S. 00109=30@E. along said West line 371.70 feet to the point of beginning.

Tract 2c

Beginning at a point that is east along the Section line 375.00 feet from the Southwest Corner of Section 24, Township 6 North, Range 39 East of the Boise Meridian; running thence east along said

Section line 385.00 feet; thence North 371.70 feet; thence West 385.00 feet; thence South 371.70 feet to the point of beginning.

Tract 2d

Beginning at a point that is East along the Section line 760.00 feet and North 371.70 feet from the Southwest Corner of Section 24, Township 6 North, Range 39 East of the Boise Meridian; running thence North 113.50 feet; thence West 385.00 feet; thence South 113.50 feet; thence East 385.00 feet to the point of beginning.

All property located within the described area as identified above and on the Annexation Map for the City of Rexburg dated July 30, 2003 shall be annexed with the zoning designation as indicated below, using as the reference for parcels, the Annexation map dated July 30, 2003:

Rexburg City Zoning for these parcels is:

Highway Business District (HBD)

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Annexation Area Three (3):

Said annexation of Area Three (3) is intended to, and shall include all parcels not already annexed in the NW Quarter of Section 20 and those parcels in the west half of Section 17 as described by the following legal descriptions:

Tract 1

All of the Southwest Quarter of Section 17, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho excepting those areas already in the City of Rexburg.

Tract 2

Beginning at a point 51 feet North of the Center Quarter Corner of Section 17, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho and running thence North 795 feet; thence West 401 feet; thence South 675 feet; thence West 363 feet to a point that is 537.0 feet East of U.S. Highway 191 right of way; thence South 120 Feet; thence East 764 feet to the point of beginning

Tract 3

Commencing at a point on the East right-of-way line of Highway U.S. 191 East of Station 535+69.20, which point is also 2677.8 feet North and 1316.0 feet East of the Southwest corner of Section 17, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho; and going thence North 30140= East along the right-of-way a distance of 139.3 feet; thence South 89152=East, 537.0 feet; thence South 120.0 feet; thence North 89152= West, 607.8 feet more or less to the point of beginning.

Tract 4

Commencing at a point that is N89131=43@E 498.43 feet of the Northwest corner of Section 20, T6N, R40E, B.M., Madison County, Idaho, thence S 0114=15@E 624.00 feet; thence N 89131=43@E 821.57 feet, thence S 0114=15@E 370.00 feet; thence S 89131=43@ W 330.00 feet; thence S 0114=15@ E 287.00 feet; thence S 89131=43@ W 110.00 feet; thence South 412.20 feet to the center line of the South Fork of the Teton River; thence along the centerline of said river with the approximate description of N

70132=37@E 97.35 feet; thence S 74°02=56@ E 680.00 feet thence N 53°32=25@E 119.04 feet to the last point on the centerline of said river; thence North 1783.85 feet; thence S89°31=43@ W 1228.26 feet to the point of beginning.

All property located within the described area as identified above and on the Annexation Map for the City of Rexburg dated July 30, 2003 shall be annexed with the zoning designation as indicated below, using as the reference for parcels, the Annexation map dated July 30, 2003.

Rexburg City Zoning for these parcels is: **Highway Business District (HBD) next to the North Yellowstone Hwy and Medium Density Residential (MDR) East of the HBD ending at Stonebridge Street with Low Density Residential (LDR1) on the remaining property east of Stonebridge Street.**

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Annexation Area Four (4):

Said annexation of Area Four (4) is intended to, and shall include all parcels (Tract 2) not already annexed located in Section 29 running north of 7th South and a parcel (Tract 1) in the SE Quarter of Section 20 as described by the following legal descriptions:

Tract 1

A parcel of property lying in Madison County, State of Idaho, in the East Half of the Southeast Quarter of Section 20, Township 6 North, Range 40 East of the Boise Meridian, and more particularly described as follows: Beginning at the Southeast Corner of Section 20, point also being the true point of beginning; thence South 89°47=43@ West along the South line of Section 20, 1063.04 feet; thence North 00°00=00@ East 879.15 feet to a point that is in the approximate centerline of the Woodmansee Canal; thence continuing in a Northerly direction along the Centerline of canal North 0°56=45@ East 360.30 feet; thence North 17°42=06@ East 249.36 feet; thence North 8°08=07@ East 137.57 feet thence North 21°03=00@ East 142.63 feet; thence North 36°49=48@ East 198.28 feet; thence North 45°19=10@ East 138.34 feet; thence North 66°19=54@ East 127.54 feet; thence North 73°35=59@ East 99.07 feet; thence South 84°48=33@ East 36.48 feet; thence South 45°41=16@ East 33.48 feet; thence South 35°58=27@ East 58.11 feet; thence South 47°42=46@ East 28.64 feet; thence South 66°41=00@ East 37.27 feet; thence South 75°37=29@ East 97.79 feet; thence South 68°42=46@ East 67.73 feet; thence South 63°02=39@ East 60.11 feet; thence South 81°06=41@ East 48.73 feet; thence North 65°13=51@ East 38.07 feet; thence North 41°43=15@ East 41.93 feet; thence North 28°26=48@ East 53.24 feet to the East line of Section 20; thence South 00°27=21@ West 1980.34 to the true point of beginning.

Tract 2

All of the East half of Section 29, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho excepting those areas already in the City of Rexburg.

All property located within the described area as identified above and on the Annexation Map for the City of Rexburg dated July 30, 2003 shall be annexed with the zoning designation as indicated below, using as the reference for parcels, the Annexation map dated July 30, 2003.

Rexburg City Zoning for these parcels is: **Low Density Residential Zone (LDR) except that the portion of Area Four that is between Millhollow Road and 2nd East between 550 South and 7th South which has an approved Subdivision Plat called >Harvest Heights= with a Rural Residential Two Zone (RR2)**

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Annexation Area Five (5):

Said annexation of Area Five (5) is intended to, and shall include what is otherwise referred to as the Cook Farm east of 2nd East running south in the west half of Section 32 as described by the following legal descriptions:

Tract 1

All of the East half of the East half of the East half of Section 31, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho excepting those areas already in the City of Rexburg.

Tract 2

All of the West half of the West half of Section 32, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho excepting those areas already in the City of Rexburg.

Tract 3

All of the Southeast Quarter of the Northwest Quarter of Section 32, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho excepting those areas already in the City of Rexburg.

All property located within the described area as identified above and on the Annexation Map for the City of Rexburg dated July 30, 2003 shall be annexed with the zoning designation as indicated below, using as the reference for parcels, the Annexation map dated July 30, 2003.

Rexburg City Zoning for these parcels is: **Low Density Residential (LDR).**

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These Parcels as identified above and on the Annexation Map for the City of Rexburg dated July 30, 2003.

- 1) Area Two (2);
- 2) Area Three (3);
- 3) Area Four (4);
- 4) Area Five (5);

shall be, and the same hereby are annexed to the City of Rexburg and shall be, and are hereby declared to be a part of the City of Rexburg, Idaho.

SECTION II: That the above described property hereby be annexed to the City of Rexburg, and the same is hereby classified under the Zoning Ordinance of the City of Rexburg set forth above; that the Zoning Map and the Madison County-Rexburg Comprehensive Plan shall be amended to show this annexation and classification of the above described property so annexed and that said amendment shall be certified 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 CITY COUNCIL AND APPROVED BY THE MAYOR this 30th Day of July, 2003. (Corrected a typing error for area 5, track 1, on March 01, 2004.)

Shawn Larsen, Mayor

(SEAL)

ATTEST:

Blair D. Kay, City Clerk

