



## ORDINANCE 947

**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 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 properties are subject to annexation to the City of Rexburg under and pursuant to the provisions of Section 50-222, Idaho Code, and that said lands 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 properties 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 properties to be annexed are 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:

**Area One (1):**

**Tract II:** All of lots 3 and 4 and the east half of the Southwest Quarter of Section 31, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho.

Less: Commencing at the Southwest corner of Section 31, Township and Range aforesaid, and running thence east 40 rods, thence north 120 rods, thence west 20 rods, thence north 8 rods, thence west 20 rods, thence south 128 rods to the point of beginning.

Less: Commencing at the Northwest corner of lot 3, Section 31, Township and Range aforesaid, and running thence east 10 rods, thence south 16 rods, thence west 10 rods, thence north 16 rods, to the point of beginning.

Also, beginning at a point which is 32 rods south of the Northwest corner, of the Northwest Quarter of the Southwest Quarter of Section 31, Township and Range aforesaid, and running thence south 8 rods, thence east 20 rods, thence north 8 rods, and thence west 20 rods to the point of beginning.

**Area Two (2):**

**Track I: 875 South 5<sup>th</sup> West** Commencing at a point 1308 feet South of the Northwest corner of Section 31, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho, and running thence East 265.0 feet to the West side of an existing irrigation ditch; thence Southwesterly along said ditch bank 76.5 feet, more

or less; thence West 242.0 feet; thence North 73.0 feet to the point of beginning.

**Area Two (2) continued:**

**Track II: 883 South 5<sup>th</sup> West** Commencing at a point 1381 feet South of the Northwest corner of Section 31, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho and running thence South 72.5 feet; thence East 150 feet; thence South 18 feet; thence East 71 feet, more or less to the West side of an existing irrigation ditch; thence Northeasterly along the West side of said ditch 91.9 feet, more or less, to a point which is 237 feet more or less, East of the point of beginning; thence West 237 feet, more or less, to the point of beginning.

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. The properties are hereby classified and zoned as follows:

**Area One (1) – Tract II**

**Previous County Zoning**

Parcel Two (2) BYU-I,  
Agricultural 1 (AG1)

Parcel Three (3) Residential Parcel,  
Agricultural 1 (AG1)

Parcel Four (4) Residential Parcel,  
Rural Residential (RR)

**New City Zoning**

University District (UD)

Rural Residential 1 (RR1)

Rural Residential 1 (RR1)

**Area Two (2) – Tract I and Tract II**

**Previous County Zoning**

Parcel Five (5) Residential Parcel  
Rural Residential (RR)

**New City Zoning**

Medium Density Residential 1 (MDR1)

**SECTION II:** That the above described properties hereby annexed to the City of Rexburg be, and the same are hereby classified under the Zoning Ordinance of the City of Rexburg as above set forth; that the Zoning shall be amended to show this annexation and classification of the above described properties 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 CITY COUNCIL AND APPROVED BY THE MAYOR this 21<sup>st</sup> day of September, 2005.

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Shawn Larsen, Mayor

(SEAL)

ATTEST:

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Blair D. Kay, City Clerk

