



ORDINANCE 963

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 hereinafter set forth.

The said parcels are located on 12th West, north of Hwy 33, in the Rexburg Impact Area, Madison County, Idaho, and more particularly described as follows:

Parcel A

Tract 1: Commencing at a point south 89°54' west 160 feet from the Highway right of way and fence line, and from Southeast corner of Section 23, Township 6 North, Range 39 East, Boise Meridian, Madison County, Idaho, and running thence north 160 feet; thence east to the property line 160 feet; thence south along the property line 160 feet and thence south 89°54' west 160 feet to the place of beginning. EXCEPT: State Highway 33 and County Road.

Tract 2: Beginning at a point that is 160.00 feet S89°54'00"W and 61.50 feet N00°27'57"E of the southeast corner of Section 23, Township 6 North, Range 39 East, Boise Meridian, Madison County, Idaho, and running thence N00°27'57" W 98.5 feet; thence N89°54'00"W 15.00 feet; thence S00°27'57"W 98.5 feet; thence N89°54'00" E 15.00 feet to the point of beginning.

Parcel B

Beginning at a point 195.00 feet S. 89°58'16" W. (Record as S89°54'00" W) and 28.28 feet N0°32'13" E. (Record as N0°00'57" E) from SE corner of said Section 23, Said point is a two inch galvanized fence post and continuing thence N0°32'13" E 131.72 feet; thence N 89°58'11" E. 193.50 feet (195 feet recorded) to a point on the east section line that is 160.00 feet N0°00'00" E of the SE corner of said section; thence N0°00'00" E along the section line 278.50 feet, said point is 15 feet S89°36'30" E of an existing iron rod by a fence post (said iron rod is on the west right-of-way line of the county road and is 160 .70 feet south of a State Highway marker set in concrete as stated in the description of Document Number 242694 as being 369.3 feet south of the NE corner of said property description); Thence N89°36'30" W 297.74 feet along an existing fence line, said point is 17.0 feet S89°36'30" E of an existing iron rod and fence post; thence south 0°00'00" W 175.53 feet to an existing iron rod; thence N89°59'30" W 110.56 feet; thence S0°00'00" W 238.80 feet to the north right of way line of State Highway 88, said point is 10.7 feet N0°00'00" E of an existing iron rod; thence along said right-of-way line N89°28'28" E 213.57 feet to the point of beginning.

Parcel C

Beginning at a point on the section line that is 1,824.20 feet south of the NE corner of the SE ¼ of said Section 23, running thence S89°58'00" W 198.84 feet; thence N0°00'00" W 39.50 feet; said point is 83.78 feet S0°00'00" E of an existing ¾" pipe in concrete property corner, thence S89°58'00" W 157.00 parallel to and 12 feet north of a hay shed to the shoulder of a slope; thence S23°34'00" W 160 feet along said shoulder; thence S77°30'00" W 45 feet to an iron rod and a wooden fence corner; thence S01°02'32" W 164.70 feet along an existing fence and property line to a corner post; thence S58°06'30" E 147.70 feet along a double pole fence line to a fence corner;

thence S65°30'37" E 25.17 feet to an iron rod and fence corner; thence N89°58'00" E 318.45 feet to the east section line; thence N0°00'00" E 370 feet to the point of beginning. Contains 3.79 acres, less county road right-of-way, approximately 0.15 acres.

The subject property shall be zoned from Rural Residential (RR) to Community Business Center (CBC).

SECTION II: That a new zoning map showing this amendment 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 17th day of May, 2006.

Shawn Larsen, Mayor

(SEAL)

ATTEST:

Blair D. Kay, City Clerk

