



ORDINANCE 976

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 in the area of 1151 South 2nd East in Rexburg, Madison County, Idaho, and more particularly described as follows:

August 31, 2006

Description: valley view town homes, being a portion of the lands of DSC Investments, L.C., per instrument Nos. 256773, 329730, 329731 and 329733, Madison County records. Township 6 north, Range 40 East, Boise Meridian, Madison County, Idaho.

Section 32: a portion of the northwest quarter of the southwest quarter (nw1/4sw1/4),

Section 31: a portion of the northeast quarter of the southeast quarter (ne1/4se1/4),

The whole being more particularly described as follows:

Commencing at the brass cap marking the southeast corner of said Section 31 and running thence along the line common to said Sections 31 and 32 North 0°14'32" West 1305.68 feet to the South 16th corner common to said Sections 31 and 32; thence continuing along said common section line North 0°14'32" West 700.00 feet to the true point of beginning; thence continuing along said common section line North 0°14'32" West 90.00 feet to the Southernmost corner of that real property described in the third exception to tract ii of schedule "c" of the aforesaid instrument No. 256773; thence along the Southwestern line thereof North 26°14'32" West 478.18 feet; thence leaving said Southwestern line North 88°50'57" West 59.94 feet to a point on the monumented centerline of 2nd East Street (Skyview Drive); thence along said centerline as follows: South 1°09'03" west 569.09 feet,

Along a curve to the right having a central angle of 7°31'54", a radius of 1185.88 feet, an arc length of 155.89 feet, a chord bearing of south 4°55'00" west and a chord length of 155.78 feet, and South 8°40'57" West 150.69 feet; thence leaving said centerline south 81°19'03" East 50.00 feet to a point on the Northwestern line of that real property conveyed to the City of Rexburg by instrument no.157759, Madison County records; thence along said Northwestern line North 44°45'28" East 115.06 feet to the intersection thereof with the south line of that real property conveyed from DSC Investments, L.C., to the City of Rexburg by instrument No. 329732, Madison County records;

Thence along the boundary lines of last said lands of the City of Rexburg as follows: South 89°45'28" West 43.07 feet, Southwesterly along a curve to the left having a central angle of 81°04'31", a radius of 29.83 feet, an arc length of 42.21 feet, a chord bearing of South 49°13'13" West and a chord length of 38.78 feet, North 8°40'57" East 93.65 feet, Southeasterly along a non tangent curve to the left having a central angle of 98°55'29", a radius of 14.99 feet, an arc length of 25.88 feet, a chord bearing of South 40°46'47" East and a chord length of 22.78 feet, North 89°45'28" East 268.24 feet, South 0°14'32" East 50.00 feet, and South 89°45'28" West 35.03 feet to the intersection thereof with said line common to Sections 31 and 32;

Thence along said common section line South 0°14'32" East 33.88 feet to the intersection thereof with the north line of that real property conveyed to AAT Communications Corporation by instrument No. 308770, Madison County records; thence along said north line North 89°45'28" East 100.00 feet to the northeast corner thereof; thence along the east line of said lands of AAT Communications South 0°14'32" East 100.00 feet to the intersection thereof with the north line of that real property conveyed to Teton Communications Incorporated by instrument No. 234394, Madison County records;

Thence along last said north line North 89°45'28" East 217.74 feet to the intersection thereof with the northeastern line of that real property conveyed to DSC Investments, L.C., as the second inclusion of tract I of schedule "C" of the aforesaid instrument No. 256773; thence along said northeastern line, and the northwesterly extension thereof North 33°15'44" West 491.32 feet; thence South 89°45'28" West 50.00 feet to the true point of beginning. Containing 5.45 acres, more or less; to the City of Rexburg, Madison County, Idaho.

The subject property shall be zoned from Low Density Residential (LDR1) to Low Density Residential (LDR2).

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 01st day of November, 2006.

Shawn Larsen, Mayor

(SEAL)

ATTEST:

Blair D. Kay, City Clerk

STATE OF IDAHO)
)ss
County of Madison)

I, BLAIR D. KAY, 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 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.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 1st day of November, 2006.

Blair D. Kay, City Clerk

(SEAL)