



## ORDINANCE 977

**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 No. 1**

“801 West Main Street and 40/42 Pioneer Road”

All lands previously not annexed in Section 25 of Township 6 North Range 39 East Boise Meridian, Madison County, Idaho

**The zoning for Area No. 1 (one)** will remain Rural Residential 1 (RR1).

**Area No. 2**

“40 acres south of 7<sup>th</sup> South and 4<sup>th</sup> East”

The NE ¼ of the NW ¼ of section 32, Township 6N, Range 40 East, Boise Meridian, Madison County, Idaho.

**The proposed zoning** for Area No. 2 (two) will be change from Transitional Agricultural One (1) to Low Density Residential One (LDR1).

**Area No. 3**

“883 South 12<sup>th</sup> West”

**Parcel No. 1 – 223914**  
RP06N39E363602

The North 300 feet of the SW ¼ NW ¼ of Section 36, Township 6 North, Range 39 East, Boise Meridian, Madison County, Idaho, lying west of the U.S. Highway No. 20 right of way.

**Parcel No. 2 – 236409**

RP06N39E361252

Township 6 North, Range 39 East Boise Meridian, Madison County, Idaho Section 36: Beginning at a point of the west section line 561 feet North of the Southwest Corner of the SW ¼ NW ¼ of said section 36, and running thence North 459 feet, more or less, to a point 300 feet South of the Northwest Corner of the SW ¼ NW ¼, thence East 1210 feet, more or less, to the West line of U.S. Highway N0. 20; thence Southwesterly along said highway line to a point on a line which bears directly East of the point of beginning; thence West 1070 feet, more or less, to the point of beginning.

**Parcel No. 3**

RP06N39E361234

Beginning at a point that is north along the section line 561.00 feet from the W ¼ corner of Section 36, Township 6 North, Range 39 East Boise Meridian, Madison County Idaho, running thence N 90°00'00"E 454.00 feet; thence south 179.35 feet; thence S 88°32'37"E 127.39 feet to the point of beginning, thence N 89°57'05"E 444.09 feet; thence N 19°33'06"E 201.52 feet; thence S 89°35'43"W 512.86 feet; thence S 00°24'17"E 186.66 feet to the point of beginning.

**The zone for Area No. 3** (three) will remain Community Business Center (CBC).

**Less Parcel No. 4 – 320009**

RP06N39E363970

Beginning at a point that is North along the Section line 561.00 feet from the W ¼ corner of Section 36, Township 6 North, Range 39 East Boise Meridian, Madison County Idaho, running thence North along said Section line 30.00 feet; thence East 584.00 feet; thence South 208.29 feet; thence South 89°32'00" West 130.00 feet; thence North 179.35 feet; thence West 454.00 feet to the point of beginning.

**Area No. 4**

**Parcel No. 1**

That portion of the Harvest Heights Addition Division No. 2B that lies within the NW ¼ of the NE ¼ of Section 32, Township 6N, Range 40 East, Boise Meridian, Madison County, Idaho.

**The zone for Area No. 4** (four) will change from Transitional Agricultural One (1) to the Harvest Heights Addition Division No. 2B zone of Rural Residential Two (2).

The Parcels identified on the **Annexation map** dated November 16, 2006, 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 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 COUNCIL AND APPROVED BY THE MAYOR this 06<sup>th</sup> day of December, 2006.

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Shawn Larsen, Mayor

