



**ORDINANCE NO. 1035**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REXBURG, IDAHO, APPROVING THE AMENDED AND RESTATED DOWNTOWN DISTRICT REDEVELOPMENT PLAN, WEST SECOND SOUTH ADDITION (THE "HEMMING SITE") WHICH PLAN INCLUDES REVENUE ALLOCATION FINANCING PROVISIONS; AUTHORIZING THE CITY CLERK TO TRANSMIT A COPY OF THIS ORDINANCE AND OTHER REQUIRED INFORMATION TO COUNTY OFFICIALS, STATE OFFICIALS AND OTHER TAXING ENTITIES; APPROVING THE SUMMARY OF THE ORDINANCE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, by Resolution dated November 6, 1991, the city of Rexburg, Idaho, created an urban renewal agency, pursuant to Chapter 20, Title 50, Idaho Code, finding one or more areas within the city of Rexburg to be "deteriorated" or "deteriorating" as defined now by Idaho Code Sections 50-2018(9) and 50-2903(8), finding one such area to include the North Highway, Second Street East, making additional findings regarding the characteristics of the area, making the necessary findings as required by Idaho Code Section 50-2008(a) and authorizing the Mayor to appoint five Commissioners for the Agency;

**WHEREAS**, the City Council of the city of Rexburg, Idaho (hereinafter the "City"), after notice duly published, conducted a public hearing on the North Highway Urban Renewal Project pursuant to the North Highway Urban Renewal Plan (the "North Highway Urban Renewal Plan") to redevelop a portion of the City, pursuant to the Law and the Act;

**WHEREAS**, following said public hearing, the City Council adopted its Ordinance No. 728 on December 27, 1991, approving the North Highway Urban Renewal Plan and making certain findings;

**WHEREAS**, the City Council, after notice duly published, conducted a public hearing on the North Highway Amended and Restated Urban Renewal Plan (the "North Highway Amended and Restated Plan") which added a certain geographic area adjacent to the original urban renewal and revenue allocation area;

**WHEREAS**, following said public hearing, the City Council adopted its Ordinance No. 815 on December 30, 1998, approving the North Highway Amended and Restated Plan and making certain findings;

**WHEREAS**, the City Council, after notice duly published, conducted a public Hearing on the Second Amended and Restated urban Renewal Plan, North Highway Urban Renewal Project, Including South Addition (the "Second Amended and Restated Plan");

**WHEREAS**, following said public hearing, the City Council adopted its Ordinance No. 950, on December 21, 2005, approving the Second Amended and Restated Plan;

**WHEREAS**, the City Council, after notice duly published, conducted a public hearing on April 9, 1997, and passed Resolution No. 97.01, finding the Washington School Site Area as "deteriorated" or "deteriorating area" as defined now by Idaho Code Section 50-2018(9) and 50-2903(8) declaring such area as an urban renewal area, making the necessary findings as required by Idaho Code Section 50-2008(a) and authorizing the Agency to prepare an urban renewal plan;

**WHEREAS**, the City Council, after notice duly published, conducted a public hearing on the Washington School Urban Renewal Plan (the "Washington School Urban Renewal Plan");

**WHEREAS**, following said public hearing, the City Council adopted its Ordinance No. 794 on June 3, 1997, approving the Washington School Urban Renewal Plan, and making certain findings;

**WHEREAS**, the City Council, after notice duly published, conducted a public Hearing on the University Boulevard-South 12th West Urban Renewal Plan (the “University Boulevard Plan”);

**WHEREAS**, following said public hearing, the City Council adopted its Ordinance No. 996, on December 19, 2007, approving the University Boulevard Plan;

**WHEREAS**, the City Council, after notice duly published, conducted a public hearing on the Downtown District Redevelopment Plan (the “Downtown Plan”);

**WHEREAS**, following said public hearing, the City Council adopted its Ordinance 910, on December 17, 2003, approving the Downtown Plan, and making certain findings;

**WHEREAS**, the Agency has had certain discussions concerning examination of an area adjacent to the Downtown Plan Area for an expansion of the Downtown Plan Site urban renewal and revenue allocation area;

**WHEREAS**, the Agency Board determined that the Agency staff or consultant should prepare and review a report on the eligibility of the proposed Downtown District Urban Renewal Area, West Second South Addition area of Rexburg, which is inside the Rexburg city limits;

**WHEREAS**, it has become apparent that additional property within the City may be deteriorating or deteriorated and should be examined as to whether such an area is eligible for urban renewal planning purposes;

**WHEREAS**, the Agency, in May 2008, requested Harlan W. Mann, Real Estate Consultant (“Consultant”), to review an area in downtown Rexburg in an area known as the West 2nd South Urban Renewal Project Area and to prepare an eligibility report for the areas;

**WHEREAS**, the Agency has obtained the West 2nd South Area Eligibility Report (the “Report”), dated July 22, 2008, which examined an area in Rexburg known as the West 2nd South Area (the “West 2nd South Area” or “Hemming Site”), for the purpose of determining whether such areas are deteriorating areas or deteriorated areas as defined by Idaho Code, Sections 50-2018(9) and 50-2903(8);

**WHEREAS**, the Agency accepted the Eligibility Report by way of Resolution No. 2008-3 at the August 14, 2008, meeting of the Agency Board;

**WHEREAS**, pursuant to the Resolution adopted by the Agency on August 14, 2008, the Agency has sought authorization to pursue the development of an urban renewal plan for the City within a geographical area which the Agency seeks the City Council determination of qualification for urban renewal activity;

**WHEREAS**, pursuant to Idaho Code Section 50-2008, an urban renewal project may not be planned or initiated unless the local governing body has, by resolution, determined such area to be a deteriorated area or deteriorating area, or combination thereof, and designated such area as appropriate for an urban renewal project;

**WHEREAS**, Idaho Code Section 50-2906, also requires that in order to adopt an urban renewal plan containing a revenue allocation financing provision, the local governing body must make a finding or determination that the area included in such plan is a deteriorated area or deteriorating area;

**WHEREAS**, the Mayor and Council considered the steps set forth by the Act and Law, accepting the Report finding the area set forth therein to be “deteriorated” or “deteriorating” areas as defined by Idaho Code Sections 50-2018(9), and 50-2903(8)(b) declaring such area as an urban renewal area, making additional findings regarding the characteristics of the area, making the necessary findings as required by Idaho Code Section 50-2008(a) and authorizing the Agency to prepare an urban renewal plan;

**WHEREAS**, at its September 3, 2008, meeting the City Council considered the Eligibility Report for designation of an urban renewal area;

**WHEREAS**, by approval of City Council Resolution No. 2008-18, the City Council directed the Agency to commence preparation of an urban renewal plan for the area designated;

**WHEREAS**, the legislature of the State of Idaho has enacted the Act, authorizing certain urban renewal agencies (including the Agency), to adopt revenue allocation financing provisions as part of their urban renewal plans;

**WHEREAS**, in order to implement the provisions of the Act and the Law either the Agency may prepare a plan, or any person, public or private, may submit such plan to the Agency;

**WHEREAS**, the Agency prepared a proposed Amended And Restated Downtown District Redevelopment Plan (hereinafter referred to as the "Amended Downtown Plan") for the area previously designated as eligible for urban renewal planning and the area proposed to be eligible;

**WHEREAS**, such proposed Amended Downtown Plan also contains provisions of revenue allocation financing as allowed by the Act;

**WHEREAS**, the Amended Downtown Plan updates certain provisions and financial information from the prior version of the Downtown Plan, adopted in 2003, the addition of the Hemming Site, changes in the Law and Act since 2003, and provide a projection concerning remaining improvements, projected expenses, and anticipated revenues through 2029;

**WHEREAS**, the Agency Board, at several meetings in late 2008 and through 2009, has considered public improvements related to the Hemming Site and original downtown project area;

**WHEREAS**, the Amended Downtown Plan was presented to the Agency Board at its October 15, 2009, meeting;

**WHEREAS**, as required by the Act, the Agency reviewed the information within the Amended Downtown Plan concerning use of revenue allocation funds and approved such information;

**WHEREAS**, at the regular meeting of the Agency Board on October 15, 2009, the Board adopted Resolution No. 2009-04 which recommended the adoption of the Amended Downtown Plan;

**WHEREAS**, the Agency has, by letters of transmittal dated October 28, 2009, submitted the Amended Downtown Plan to the Acting Mayor and City Council of Rexburg requesting the City schedule the necessary meetings and public hearing for consideration of the Amended Downtown Plan in compliance with the Law and the Act;

**WHEREAS**, the Acting Mayor and City Clerk have taken the necessary action to process the Amended Downtown Plan;

**WHEREAS**, pursuant to the Law, the City of Rexburg Planning and Zoning Commission considered the Amended Downtown Plan and its compliance with the Comprehensive Plan of the City of Rexburg on November 19, 2009, and forwarded its findings to the City Council, a copy of which is attached hereto as Exhibit 1;

**WHEREAS**, as of October 28, 2009, the Amended Downtown Plan was submitted to the affected taxing entities, available to the public, and under consideration by the City Council;

**WHEREAS**, notice of the public hearing of the Amended Downtown Plan was caused to be published by the City Clerk of Rexburg Idaho, in the *Standard Journal*, on October 31, 2009, and again on November 14, 2009, a copy of said notice being attached hereto as Exhibit 2;

**WHEREAS**, as required by Idaho Code Sections 50-2905 and 50-2906, the Amended Downtown Plan, a copy of which is attached hereto and incorporated herein by reference as Exhibit 3, contains the following information which was made available to the general public and all taxing districts at least thirty (30) days prior to the December 2, 2009, regular meeting of the City Council: (1) the kind, number and location of all proposed public works or improvements within the revenue allocation area; (2) an economic feasibility study; (3) a detailed list of estimated project costs; (4) a fiscal impact statement showing the impact of the revenue allocation area, both until and after the bonds are repaid, upon all taxing districts levying taxes upon property in the revenue allocation area;

and (5) a description of the methods of financing all estimated project costs and the time when related costs or monetary obligations are to be incurred;

**WHEREAS**, the Amended Downtown Plan authorizes certain projects to be financed by revenue allocation bonds and proceeds from revenue allocation;

**WHEREAS**, appropriate notice of the Amended Downtown Plan and revenue allocation provision contained therein has been given to the taxing districts and to the public as required by Idaho Code Section 50-2906;

**WHEREAS**, the City Council of the City of Rexburg during its regular meeting of December 2, 2009, held a public hearing and did consider the Amended Downtown Plan as proposed;

**WHEREAS**, it is necessary and in the best interests of the citizens of the City to recommend approval of the Amended Downtown Plan and to adopt, as part of the Amended Downtown Plan, revenue allocation financing provisions that will help finance urban renewal projects to be completed in accordance with the Amended Downtown Plan (as now or hereafter amended), in order to (1) encourage private development in the urban renewal area; (2) to prevent and arrest decay of the Amended Downtown Plan Area due to the inability of existing financing methods to provide needed public improvements; (3) to encourage taxing districts to cooperate in the allocation of future tax revenues arising in the Amended Downtown Plan Area in order to facilitate the long-term growth of their common tax base; (4) to encourage the long-term growth of their common tax base; (5) to encourage private investment within the city of Rexburg and (6) to further the public purposes of the Rexburg Redevelopment Agency;

**WHEREAS**, the Board of Commissioners of the Agency finds that the equalized assessed valuation of the taxable property in the revenue allocation area described in Attachments 1 and 2 of the Amended Downtown Plan is likely to continue to increase as a result of initiation and implementation of urban renewal projects in accordance with the Amended Downtown Plan;

**WHEREAS**, under the Law and Act, any such Plan should provide for (1) a feasible method for the location of families who will be displaced from the urban renewal area in decent, safe and sanitary dwelling accommodations within their means and without undue hardship to such families; (2) the urban renewal plan should conform to the general plan of the municipality as a whole; (3) the urban renewal plan should give due consideration to the provision of adequate park and recreational areas and facilities that may be desirable for neighborhood improvement, with special consideration for the health, safety and welfare of the children residing in the general vicinity of the site covered by the plan; and (4) the urban renewal plan should afford maximum opportunity, consistent with the sound needs of the municipality as a whole, for the rehabilitation or redevelopment of the urban renewal area by private enterprise;

**WHEREAS**, the overall Amended and Restated Downtown District Redevelopment Plan Area base assessment roll, along with the Washington School Plan Area and the North Highway Plan Area, as amended, and the University Boulevard Plan Area cannot exceed ten percent (10%) of the Base Assessment Value of the City;

**WHEREAS**, the City at its regular meeting held on December 2, 2009, did consider the Amended Downtown Plan as proposed, conducted the public hearing, and made certain comprehensive findings;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF REXBURG, IDAHO:

**SECTION I:** It is hereby found and determined that:

- a. The Project Area as defined in the Amended Downtown Plan is a deteriorated or a deteriorating area as defined in the Law and the Act and qualifies as an eligible urban renewal area under the Law and Act.
- b. The rehabilitation, conservation, and redevelopment of the Project Area pursuant to the Amended Downtown Plan are necessary in the interest of public health, safety, and welfare of the residents of the City of Rexburg.
- c. There continues to be a need for the Agency to function in the City of Rexburg.

- d. The Amended Downtown Plan conforms to the City of Rexburg Vision 2020 Comprehensive Plan (the “Comprehensive Plan”).
- e. The Amended Downtown Plan gives due consideration to the provision of adequate park and recreation areas and facilities that may be desirable for neighborhood improvement (recognizing the mixed use components of the Amended Downtown Plan, the need for overall public improvements and the proposed public open space recreation and community facilities opportunity), and shows consideration for the health, safety, and welfare of any residents or businesses in the general vicinity of the Project Area as defined by the Amended Downtown Plan.
- f. The Amended Downtown Plan affords maximum opportunity consistent with the sound needs of the City as a whole for the rehabilitation and redevelopment of the Project Area by private enterprises.
- g. The Amended Downtown Plan provides a feasible method for relocation of any displaced families residing within the Project Area.
- h. That portion of the Project Area which is identified for non-residential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns and the need for the correlation of this area with other areas of the City.
- i. The collective base assessment roll of the Amended Downtown Plan, along with the collective base assessment rolls of the Washington School Plan Area, the North Highway Plan Area, and the University Boulevard Plan Area does not exceed ten percent (10%) of the assessed value of the City of Rexburg.

**SECTION II:** The City Council finds that one of the Plan objectives to increase the mixed use development opportunity to include housing does meet the sound needs of the City and will provide residential opportunities in an area that does not now contain such residential opportunities, and the portion of the Project Area which is identified for non-residential uses is necessary and appropriate to facilitate the proper growth and development standards in accordance with the objectives of the Rexburg Comprehensive Plan to overcome economic disuse, the need for improved traffic patterns, and the need for the correlation of this area with other areas of the City.

**SECTION III:** The Amended Downtown, a copy of which is attached hereto and marked as Exhibit 3 and made a part hereof by attachment, be and the same hereby is approved. The City Clerk and/or the Agency may make certain technical corrections or revisions in keeping with the information and testimony presented at the December 2, 2009, hearing.

**SECTION IV:** No direct or collateral action attacking the Amended Downtown Plan shall be brought prior to the effective date of this Ordinance or after the elapse of thirty (30) days from and after the effective date of the Ordinance adopting the Amended Downtown Plan.

**SECTION V:** Upon the effective date of this Ordinance, the City Clerk is authorized and directed to transmit to the Madison County Recorder, Madison County Auditor and Tax Assessor of Madison County, and to the appropriate officials of the Madison County Board of County Commissioners, Rexburg Cemetery District, Madison County Library District, Madison School District #321 Board of Trustees, Madison County Ambulance District, Madison County Mosquito Abatement District, the City of Rexburg, and to the State Tax Commission, a copy of this Ordinance, a copy of the legal description of the boundaries of the Urban Renewal/Revenue Allocation Area, and a map or plan indicating the boundaries of the Urban Renewal/Revenue Allocation Area.

**SECTION VI:** The City Council hereby finds and declares that the Revenue Allocation Area as defined in the Amended Downtown Plan includes that portion of the Urban Renewal Project Area, the equalized assessed valuation of which the Council hereby determines is in and is part of the Amended Downtown Plan has increased and is likely to continue to increase as a result of the initiation and completion of urban renewal projects pursuant to the Amended Downtown Plan.

**SECTION VII:** The City Council hereby approves and adopts the following statement of policy relating to the appointment of City Council members as members of the Agency’s Board of Commissioners: If any City Council members are appointed to the Board, they are not acting in an ex officio capacity but rather as private citizens who, although they are also members of the City Council, are exercising their independent judgment as private citizens when they sit on the Board. Except for the powers to appoint and terminate Board members and to adopt the Amended

Downtown Plan the City Council recognizes that it has no power to control the powers or operations of the Agency.

**SECTION VIII:** So long as any Agency bonds are outstanding, the City Council will not exercise its power under Idaho Code Section 50-2006 to designate itself as the Agency Board.

**SECTION IX:** This Ordinance shall be in full force and effect immediately upon its passage, approval and publication, and shall be retroactive to January 1, 2009, to the extent permitted by the Act, with the original revenue allocation area maintaining its base assessment roll as of January 1, 2003.

**SECTION X:** The provisions of this Ordinance are severable and if any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid for any reason, such declaration shall not affect the validity of remaining portions of this Ordinance.

**SECTION XI:** The Summary of this Ordinance, a copy of which is attached hereto as Exhibit 4, is hereby approved.

**SECTION XII:** All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

**SECTION XIII: SAVINGS CLAUSE:** This Ordinance does not affect an action or proceeding commenced or right accrued before this Ordinance takes effect.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 2nd day of December, 2009.

\_\_\_\_\_  
Richard Woodland, Mayor

(SEAL)

ATTEST:

\_\_\_\_\_  
Blair D. Kay, City Clerk

AMENDED BY ORD. 1036



NOTICE PUBLISHED IN THE *STANDARD JOURNAL*  
October 31, and November 14, 2009

**NOTICE OF REGULAR MEETING AND PUBLIC HEARING  
BY THE CITY COUNCIL OF THE CITY OF REXBURG TO CONSIDER  
THE AMENDED AND RESTATED  
DOWNTOWN DISTRICT REDEVELOPMENT PLAN  
OF THE REXBURG REDEVELOPMENT AGENCY**

Notice is hereby given that the Rexburg City Council will hold, during its regular meeting on Wednesday, December 2, 2009, at 7:30 p.m., a public hearing in the City Council Chambers, 35 North 1st East, Rexburg, Idaho, to consider the Amended and Restated Downtown District Redevelopment Plan ("Plan") of the Rexburg Redevelopment Agency ("Agency"). The boundaries of the Plan area are hereinafter described. The Plan proposes that the Agency continue to undertake urban renewal projects pursuant to the Idaho Urban Renewal Law of 1965, as amended. Generally, the Plan updates the Downtown District Redevelopment Plan originally adopted in 2003 and adds an additional revenue allocation/urban renewal area referred to as the West 2nd South, Hemming Site. The Plan being considered for adoption contains a revenue allocation financing provision pursuant to the Local Economic Development Act, Chapter 29, Title 50, Idaho Code, that will cause property taxes resulting from any increases in equalized assessed valuation in excess of the equalized assessed valuation as shown on the base assessment roll as of January 1, 2009, for the proposed additional revenue allocation area, to be allocated to the Agency for urban renewal purposes. The base assessment roll for the original Downtown area remains January 1, 2003. The boundaries of the revenue allocation area are also hereinafter described. The Agency has recommended approval of the Plan. The Council will also be considering the final reading of an ordinance adopting the Plan on December 2, 2009.

The general scope and objectives of the Plan and the Downtown Urban Renewal Project are: elimination of environmental deficiencies in the Amended Project Area including, among others, obsolete and aged building types and inadequate public improvements and facilities;

assembly of land into parcels suitable for modern, integrated development with improved setback, parking, pedestrian, and vehicular circulation in the Amended Project Area;

replanning, redesign, and development of undeveloped and underdeveloped areas which are stagnant or improperly utilized;

strengthening of the economic base of the Amended Project Area and the community by installation of needed public improvements and facilities to stimulate new commercial expansion, employment, and economic growth;

establishment and implementation of performance criteria to assure high site design standards, environmental quality, and other design elements which provide unity and integrity to the entire Amended Project Area;

strengthening of the tax base by encouraging private development, thus, increasing the assessed valuation of properties within the Amended Project Area as a whole and benefiting the various taxing districts in which the Amended Project Area is located;

creating of public spaces, gateway entries, and the like;

provision of civic buildings and public facilities owned or occupied by the Agency or other public entities including the City;

provision of adequate land for open space, street rights-of-way and pedestrian rights-of-way, alley improvements, sidewalks, street lights, parking facilities, traffic signals; and

implementation of the Comprehensive Plan by the Agency within the Amended Project Area to the extent funding is available and the implementation if activities are eligible activities under the Law and Act.

Any such land uses as described in the Plan will be in conformance with the Comprehensive Plan of the City of Rexburg. Land made available will be developed by private enterprises or public agencies as authorized by law. The Plan defines various public and private improvements which may be made within the Downtown District Urban Renewal area.

The project area and revenue allocation area herein referred are described as follows:

**A. ORIGINAL REVENUE ALLOCATION AREA:**

Beginning at a point that is N 89° 59' 59" E 49.5 from the Southeast Corner of Section 19, Township 06 North, Range 40 E, Boise Meridian; running thence N 0° 14' 57" W 825.19 feet to the Southwest Corner of Block 20, Rexburg Original Townsite; thence S 89° 44' 59" W 2373.48 feet to the Southeast Corner of Block 24; thence S 0° 15' 2" E 759 feet; thence S 89° 44' 58" W 759 feet; thence S 0° 15' 1" E 891.02 feet to the Northeast Corner of Block 46; thence N 89° 44' 57" E 3132.51 feet; thence N 0° 15' 11" W 824.8 feet to the point of beginning.

*Less the following:* Lot 2, Block 39 of the Rexburg Original Townsite.

**B. ADDED REVENUE ALLOCATION AREA:**

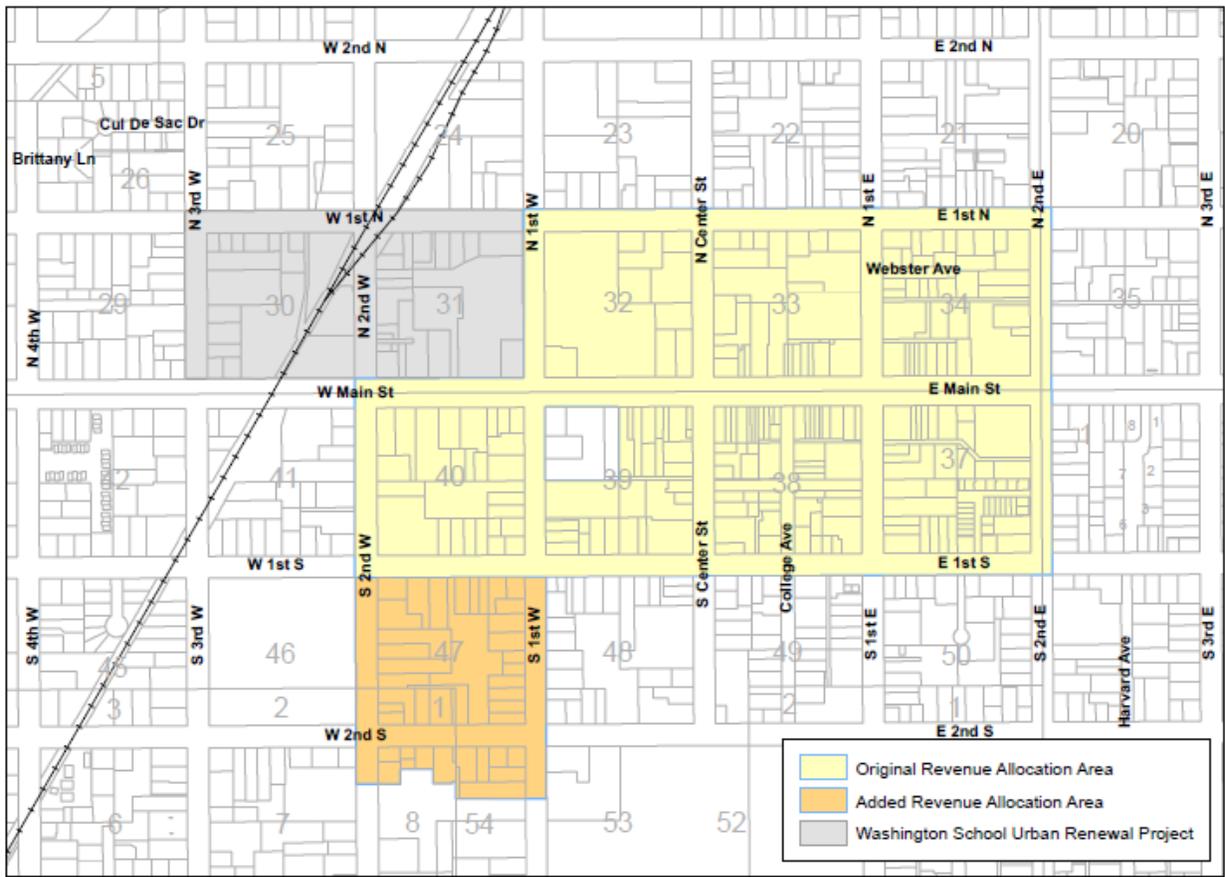
Beginning at the Northeast Corner of Block 46, Rexburg Original Townsite, Madison County, Idaho; running thence S 0° 15' E 759 feet to the Northeast Corner of Block 7, Southend Addition to the City of Rexburg; thence S 0° 15' 38" E 164.5 feet; thence N 89° 53' 31" E 198 feet; thence N 0° 16' 9" W 65.94 feet; thence N 89° 46' 59" E 148.51 feet; thence S 0° 15' 37" E 65.81 feet; thence N 89° 46' 59" E 82.5 feet; thence N 0° 26' 1" W 8.25 feet; thence N 89° 35' 7" E 17.25 feet; thence S 0° 14' 53" E 74.32 feet; thence N 89° 45' 34" E 409.25 feet; thence N 0° 15' W 231.11 feet to the Northwest Corner of Block 53, Rexburg Original Townsite; thence N 0° 15' W 759 feet to the Northwest Corner of Block 48; thence S 89° 44' 56" W 855.51 feet to the point of beginning.

**C. OVERALL URBAN RENEWAL AREA:**

Beginning at a point that is N 89° 59' 59" E 49.5 from the Southeast Corner of Section 19, Township 06 North, Range 40 E, Boise Meridian; running thence N 0° 14' 57" W 825.19 feet to the Southwest Corner of Block 20, Rexburg Original Townsite; thence S 89° 44' 59" W 2373.48 feet to the Southeast Corner of Block 24; thence S 0° 15' 2" E 759 feet; thence S 89° 44' 58" W 759 feet; thence S 0° 15' E 1650.02 feet to the Northeast Corner of Block 7, Southend Addition to the City of Rexburg; thence S 0° 15' 38" E 164.5 feet; thence N 89° 53' 31" E 198 feet; thence N 0° 16' 9" W 65.94 feet; thence N 89° 46' 59" E 148.51 feet; thence S 0° 15' 37" E 65.81 feet; thence N 89° 46' 59" E 82.5 feet; thence N 0° 26' 1" W 8.25 feet; thence N 89° 35' 7" E 17.25 feet; thence S 0° 14' 53" E 74.32 feet; thence N 89° 45' 34" E 409.25 feet; thence N 0° 15' W 231.11 feet to the Northwest Corner of Block 53, Rexburg Original Townsite; thence N 0° 15' W 759 feet to the Northwest Corner of Block 48; thence N 89° 44' 57" E 2277 feet; thence N 0° 15' 11" W 824.8 feet to the point of beginning.

(For the purpose of describing the New Revenue Allocation Area, less-out Lot 2, Block 39 of the Rexburg Original Townsite from the Overall Urban Renewal Area description above.)

SEE ATTACHED MAP:



Attachment 2  
Amended Project Area - Amended Revenue Allocation Area Boundary Map

0 165 330 660 Feet



Copies of the proposed Plan are on file for public inspection and copying for the cost of duplication at the office of the City Clerk, City Hall, 35 North 1st East, Rexburg, Idaho, 83340, between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, exclusive of holidays.

At the time and place noted above, all persons interested in the above matter may appear and be heard. Written comments will also be accepted. Comments should be directed to the City Clerk of the city of Rexburg. Written comments should be submitted prior to the hearing date.

Individuals who will require special assistance to accommodate physical, vision, hearing, or other impairment, please contact the City Clerk at (208) 359-3020 three (3) days prior to the public hearing so that arrangements can be made.

DATED this 22nd day of October, 2009.

Blair Kay, City Clerk of Rexburg

Publication Date: October 31st and November 14th, 2009.

AMENDED BY

EXHIBIT 2

PLANNING & ZONING COMMISSION RESOLUTION

AMENDED BY ORD. 1036

EXHIBIT 3

AMENDED AND RESTATED DOWNTOWN DISTRICT REDEVELOPMENT PLAN

AMENDED BY ORD. 1036

EXHIBIT 4

SUMMARY OF ORDINANCE NO. 1036

AMENDED BY ORD. 1036