



**ORDINANCE NO. 726**

**AN ORDINANCE AMENDING SECTIONS I AND II OF ORDINANCE NO. 713 ANNEXING CERTAIN LAND TO THE CITY OF REXBURG, IDAHO; DESCRIBING SAID LAND AND DECLARING SAME A PART OF THE CITY OF REXBURG, IDAHO; AMENDING AND CHANGING THE ZONING MAP OF THE CITY OF REXBURG, IDAHO, AND THE MADISON COUNTY-REXBURG COMPREHENSIVE PLAN 2000 TO SHOW SUCH ANNEXATION AND THE CLASSIFICATION OF THE SAME UNDER THE ZONING ORDINANCE OF THE CITY OF REXBURG, IDAHO; AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.**

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

That Sections I and II of Ordinance No. 713 be amended because Western Land Holdings provided the incorrect legal description to the City, and Ordinance No. 713 is hereby amended to show the proper legal description to read as follows:

**SECTION I:** That the following described land situated in Madison County, Idaho, to-wit:

A part of the Northwest quarter of Section 20, Township 6 North, Range 40 East, Boise Base and Meridian, Rexburg, Idaho, beginning at a point on the East line of Highway 33 which is South 0 degrees 14'15" East 794.00 feet along the Section line, and North 89 degrees 31'43" East 50.00 feet from the Northwest corner of said Section 20, and running thence North 89 degrees 31'43" East 940.00 feet; thence South 0 degrees 14'15" East 487.00 feet; thence South 89 degrees 31'43" West 110.00 feet; thence South 514.69 feet to the center of the South Fork of the Teton River; thence four courses along said center line as follows: South 80 degrees 45' West 434.31; South 87 degrees 45' West 70.00 feet; South 78.30' West 135.00 Feet; and North 79 degrees 35' West 200.00 feet to the East line of said Highway 33; thence North 0 degrees 14'15" West 1058.11 feet along said East line to the point of beginning.

shall be, and the same hereby is annexed to the City of Rexburg and shall be, and is hereby declared to be a part of the City of Rexburg, Idaho. The property is hereby classified and zoned as HBD, which would permit the use of the said property as a community shopping center.

**SECTION II:** The City of Rexburg has now been advised that Western Land Holdings has purchased the land from the Walker family; that the above described property is hereby annexed to the City of Rexburg, and the same is hereby classified under the Zoning Ordinance of the City of Rexburg as above set forth; that the Zoning Map and the Madison County-Rexburg Comprehensive Plan 2000 shall be amended to show this annexation and classification of the above described property 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:** An emergency existing, this ordinance shall be in full force and effect from and after its passage, approval, and due publication as provided by law.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 6<sup>th</sup> day of November, 1991.

