



ORDINANCE NO. 790

AN ORDINANCE ANNEXING CERTAIN LANDS OF 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 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.

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 property is subject to annexation to the City of Rexburg under and pursuant to the provisions of Section 50-222, Idaho Code, and that said land 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 for zoning classification under the Zoning Commission made its report and recommendations for zoning classification of the hereinafter described property proposed to be annexed, had

WHEREAS, the council has determined that the proper classification under the Zoning Ordinance of the City of Rexburg, Idaho, for the property to be annexed is 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:

TRACT 1:

Commencing at a point 249.95 feet West of the Southeast Corner of Section 18, Township 6 North, Range 40 East, Boise Meridian to the true point of beginning; thence West, 83.34 feet, said point on the East Right-of-way line of the Eastern Idaho Railroad; thence along said right-of-way line S 30E 20'20"W, a distance of 427.51 feet; thence East, 299.78 feet to the centerline of a 20 foot wide roadway easement; thence along said centerline North, 368.97 feet to the true point of beginning. Containing approximately 1.62 acres.

TRACT 2:

Beginning at the Southeast corner of Section 18, Township 6 North, Range 40 East, Boise Meridian; thence North, 790.22 feet to the true point of beginning; said point being on the West right-of-way line of the Easter Idaho Railroad; thence along said right-of-way line N 30E20'20" E, a distance of 1256.87 feet; thence West, 546.79 feet to a point on the East right-of-way line to the Rexburg North Highway (Salem Road); thence along said right-of-way N 0E11'11" E, 375.87 feet; thence West, 638.82 feet; thence S 0E05'18" E, 2393.25 feet to a point on the West right-of-way line of the Eastern Idaho Railroad; thence along said right-of-way line N 30E20'20"E, a distance of 1080.62 feet to the true point of beginning. Containing approximately 32.92 acres.

TRACT 3:

Commencing at the North 1/4 corner of Section 31, Township 6 North, Range 40 East, Boise Meridian, and running thence S 0E 19'46" E, 1323.42 feet along the North Couth Centerline of said Section 31; said point bing the Southeast Corner of the Northeast 1/4; thence N 89E49'57" E, 1226.09 feet more or less; thence S 0E15'50"E, 118.51, feet more or less; thence East, 100.00 feet, more or less, to the West line of Crest Haven Subdivision; thence S 0E15'50"E, 1205.98 feet, more or less, along the West line of the Crest Haven Subdivision to the Quarter Section Line; thence S 0E16'50" W, 1321.09 feet to the South Line of the Northwest 1/4 of the Northwest 1/4 of said Section 31; thence S 89E53'28" W, 3599.95 feet, more or less; thence N 0E16'50" W, 1321.09 feet to the South Line of the Northwest 1/4 of the Northwest 1/4 of said Section 31; thence S 89E49'57"W, 66.00 feet to the Rexburg Irrigation Canal; thence along said canal the following three (3) courses; (1) N 46E35;20" E, 195.17 feet; (2) N 57E01'39"E, 242.82 feet; and (3) N 06E28'50" E, 398.12 feet to the South line of the Northeast 1/4 of the Northwest 1/4 of said Section 31; thence N 89E48'11"E, 627.67 feet; thence N 0E18'18"W, 661.04 feet along the East Line of said Northeast 1/4 to the North Line of Said Section 31; thence N 89E46'26"E, 1318.05 feet to the point of beginning. Containing approximately 160327 acres.

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 so hereby classified and zoned as follows: Tract I, Highway Business District (AHBD@); Tract 2 Highway Business District (AHBD@); and Tract 3 University District (AUD@).

SECTION II: That the above described property hereby annexed to the City of Rexburg be, and the same is hereby classified under the Zoning Ordinance of the City of Rexburg as above set forth; that the Zoning Map and Madison County-Rexburg Comprehensive Plan 2000 shall be amended to show this annexation shall be certified to and declared to be the official Zoning Map to 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 20th day of November, 1996.

Nile L. Boyle, Mayor

(SEAL)

ATTEST:

Rose Bagley, City Clerk

