



ORDINANCE NO. 869

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 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 to the Planning and Zoning Commission, and the Planning and Zoning Commission made its report and recommendations for zoning classification of the hereinafter described property 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 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:

Parcel 1 - known as Mark Andrews located at 528 So. 1500 West Beginning at a point in the West right-of-way line of the county road, that is 254.75 feet West and 530.88 feet North of the South quarter corner of Section 25, Twp. 6N, R. 39 E., Boise Mer., Madison County, Idaho, and running thence East 47.54 feet; thence North 00°15'47" East 198.9 feet; thence North 89°44'07" East 300 feet; thence North 1249.28 feet; thence North 89°55'14" West 810.64 feet; thence South along a non-tangent curve concave to the West with a radius of 20,342.05 feet, a length of 1451.48 feet, a chord bearing of South 02°19'09" w, and a cord length of 1451.48 feet; thence South 89°55'21" East 520.91 feet to the point of beginning.

This property is hereby classified and zoned as High Density Residential (HDR). Less the following described tract of land that is requested to be zoned MDR :

A tract of land lying in Madison County, State of Idaho, in the East half of the Southwest quarter of Section 25, Township 6 North, Range 39 East of the Boise Meridian, and more particularly described as follows:

Beginning at the South quarter section corner of Section 25; thence S 89°47'54" W along the South line of said section 254.75 feet; thence N 00°15'55" W and parallel to the meridional centerline of section 531.08 feet to the POINT OF BEGINNING; thence N 00°15'55" W 198.63 feet to a point of curve having a radius of 525.90 feet and a 85.64 foot long chord bearing N 4°24'19" E; thence to the right along said

curve 85.68 feet, thru a central angle of 9°20'03"; thence S 89°48'14" W 510.86 feet to a point of curve on Highway 20/191 east right of way line, curve having a radius of 20342.05 feet and a 284.61 foot long chord bearing S 3°44'18" W; thence to the right along said curve 284.67 feet, thru a central angle of 00°48'07"; thence N 89°48'14" E 523.76 feet to the POINT OF BEGINNING.

Parcel 2 - known as De Jones located at 500 So. 1500 West
Commencing at a point which is North 89°48'35" East 1919.44 feet from the Northwest Corner of the SW1/4 of Sec. 25, Twp. 6 N., R. 39 E. Boise Mer., said point being on the East right of way line of U. S. Highway 20 Project No. F-6471 (41) Highway Survey as shown on the plans thereof on file in the Office of the Idaho Transportation Department of Division of Highways, and running thence North 89°48'35" East 833.23 feet to the East line of said SW1/4; thence South 00°16'32" East 164.95 feet along said line; thence South 89°48'26" West 512.14 feet; thence South 00°16'32" East 164.94 feet; thence South 89°48'26" West 321.80 feet to the above said right of way line; thence North 00°09'10" West 329.92 feet along said right of way line to the point of beginning.

This property is hereby classified and zoned as Medium Density Residential (MDR).

Parcel 3 - known as Ted Whyte located at 480 So. 1500 West
Beginning at the southeast corner of the Northwest Quarter of Section 25, Township 6 N., R 39 E., Boise Mer., Madison County, Idaho, and running thence South 89°48'30" West a distance of 717.97 feet along the East-West quarter section line to the East right-of-way of U. S. Highway 191-20; thence North 0°08'31" West a distance of 341.00 feet along said East right-of-way; thence North 89°48'30" East a distance of 717.12 feet; thence South 0°08'31" East a distance of 341.00 feet to the point of beginning.

The property is hereby classified and zoned as Medium Density Residential (MDR)

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.

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 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: 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 1st day of May, 2002.

Bruce Sutherland, Mayor

(SEAL)

ATTEST:

Marilyn Wasden, City Clerk

STATE OF IDAHO)
)ss.
County of Madison)

I, MARILYN WASDEN, 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 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 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.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 1st day of May, 2002.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City of Rexburg, Idaho, this 1st day of May, 2002.

Marilyn Wasden, City Clerk

(SEAL)