



ORDINANCE 923

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 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 determined to be reasonably necessary to assuring the orderly development of 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, shall be annexed with the designated zoning classification, to-wit:

Annexation Area:

Annexation areas include three parcels not already annexed into the City lying between Hwy 20 and 12th West within the Rexburg City Area of Impact, Madison County, Idaho, and are described as follows on the Annexation Map dated September 15, 2004:

Water and sewer services will need to be extended to annexation parcels. Future road development will be as per the City transportation plan as coordinated with Madison County. These three parcels are petitioned annexations.

Parcels numbered on the Annexation map as follows:

Area One (Parcel 1) – Rexburg City zoning for this parcel is:
Low Density Residential (LDR)

The Legal description is as follows:

Parcel 1

Commencing at a point that is S89°31'43"W 1754.02 feet of the Northeast corner of Section 20, Township 6 North, Range 40 E.B.M., Madison County, Idaho, thence, S89°31'43"W 191.31 feet; thence S02°24'19"W 18.49 feet; thence S04°20'32"W 44.20 feet; thence S13°04'02" W 161.12 feet; thence S11°10'08"W 77.86 feet; thence S22°34'27"W 100.76 feet; thence S34°31'50"W 99.12 feet;

thence S25°39'04"W 195.43 feet; thence S09°44'02"W 81.95 feet; thence S0°18'41"W 53.39 feet; thence S21°25'11"E 142.05 feet; thence S0°48'44"W 128.20 feet; thence S15°00'17"W 127.7 feet; thence S13°51'43"W 113.76 feet; thence S47°46'56"W 744.06 feet to the center line of the South Fork of the Teton River; thence along said centerline that has an approximate description of S45°10'02"E 760.00 feet; thence N41°57'03"E 670.00 feet; thence N27°16'26"E 600 feet; thence N34°20'02"W 460.00 feet; thence N06°10'50"W 420 feet; thence N56°55'32"E 65.13 feet to the last point on the center line of the river; thence N01°15'47"W 448.05 feet to the point of beginning, together with 1 share of the capital stock of Teton Island Canal Company. Contains 27.26 acres more or less.

Area One (Parcel 2) – Rexburg City zoning for this parcel is:
Low Density Residential (LDR1)

The Legal description is as follows:

Parcel 2

Commencing at a point south 89°31'43" West 1754.22 feet from the Northeast corner of Section 20, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho, and running thence North 89°31'43" East 164 feet; thence south 0°W 348.92 feet to the north bank of the South Fork of the Teton River; thence S56°55'32"W 183.92 feet along the North bank of the South Fork of the Teton River; thence N1°15'47"W 448.05 feet to the point of beginning.

Area One (Parcel 3) – Rexburg City zoning for this parcel is:
Low Density Residential (LDR1)

The Legal description is as follows:

Parcel 3

A portion of the N1/2NE1/4 of Section 20, Township 6 North, Range 40 E.B.M., Madison County, Idaho, described as: Commencing at the NE corner of said Section 20, and running thence S89°31'43"W 1,233.73 feet along the section line to the true point of beginning; thence S89°31'43"W 356.29 feet along the section line; thence S0°00'00"E 348.92 feet, more or less, to the centerline of the South Fork of the Teton River; thence N56°55'32"E 230.95 feet along said river centerline; thence S78°35'05"E 166.04 feet along said river centerline; thence N0°00'00"E 258.68 feet, more or less to the point of beginning.

Annexation Area 2:

Area includes a single parcel at 863 South 5th West. Water and Sewer Services are already available to the proposed parcel. The parcel is two parcels beyond the City limits on South 5th West. The parcel fronts City streets and has access to municipal police and fire protection. This parcel is a petitioned annexation.

Area Two (Parcel 4) – Rexburg City zoning for this parcel is:
Medium Density Residential (MDR)

The Legal description is as follows:

Parcel 4

Commencing at a point 1192.0 feet south of the Northwest corner of Section 31, Township 6 North, Range 40 E.B.M., Madison County, Idaho, and running thence east 402.0 feet to the west bank of the Rexburg Irrigation Company Canal; thence S44°15'5"W along said Canal bank 161.94 feet more or less, thence west 289.0 feet; thence north 116.0 feet to the point of beginning.

Annexation Area 3:

Area includes two adjoining Parcels at the City Limits on the South Yellowstone Hwy south of Taylors Chevrolet. Water service has already been extended to the south of this property along the South Yellowstone Hwy to the Wilcox Subdivision. The sewer service is located approximately 1,900 feet to the south of this area. These two parcels are petitioned annexations.

**Area Three (Parcel 5) – Rexburg City zoning for this parcel is:
Highway Business District (HBD)**

The Legal descriptions are as follows:

Parcel 5

Commencing at the northeast corner of the Southwest Quarter of the Northeast Quarter (NE, SW, NE) of section Thirty-six (36), Township Six (6) North, Range Thirty Nine (39) East, Boise Meridian, in Madison County, State of Idaho, and running thus South 624.53 feet, thence West 1,040 feet; thence N29°14'36"E 709.28 feet; thence N89°32'01"E 693.52 feet to the point of beginning.

These Parcels as identified above and on the Annexation Map for the City of Rexburg dated June 02, 2003, 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 property hereby be annexed to the City of Rexburg, and the same is hereby classified under the Zoning Ordinance of the City of Rexburg set forth above; that the Zoning Map and the Madison County-Rexburg Comprehensive Plan shall be amended to show this annexation and classification of the above described property so annexed and that said amendment shall be certified 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 CITY COUNCIL AND APPROVED BY THE MAYOR this 7th Day of July, 2004.

Shawn Larsen, Mayor

(SEAL)

ATTEST:

Blair D. Kay, City Clerk

