



**ORDINANCE NO. 998**

**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 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 properties are subject to annexation to the City of Rexburg under and pursuant to the provisions of Section 50-222, Idaho Code, and that said lands 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 properties 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 properties to be annexed are as hereinafter set forth.

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

The property is located at approximately 1150 North on 12<sup>th</sup> West on the east side of the road. The property borders the north side of Teton Lakes Golf Course running from Hwy 20 on the east to 12<sup>th</sup> West in the Rexburg City Area of Impact, Madison County, Idaho. The properties are described as follows on the Annexation Map dated November 15, 2007:

**PINE BROOK NO. 2**

Part of the South Half of the North Half (S 1/2 N 1/2) of Section 13, Township 6 North, Range 39 East of the Boise Meridian, Madison County, Idaho described as follows:

Beginning at the West Quarter corner of said Section 13 and running thence N00°11'19"W 1301.50 feet along the west section line of said Section 13 to the Southwest corner of the First Amended Plat, J and M Subdivision, Madison County, Idaho; thence along the south boundary of said J and M Subdivision the following three (3) courses: (1) S.89°59'39"E. 1923.66 feet to a found 1/2" iron rod; thence (2) N.89°54'46"E. 344.45 feet to a found 1/2" iron rod at the Southeast corner of said J and M Subdivision; thence (3) N.00°11'19"W. 9.12 feet to the north line of the South Half of the North Half (S 1/2 N 1/2) of said Section 13; thence N.89°59'53"E. 1294.33 feet along said north line to a point on a curve on the westerly right-of-way line of U.S. Highway No. 20, Federal Aid Project No. F-6471(82); thence 1561.16 feet along said curve to the left, Curve Data: Delta = 10°15'52", Radius = 8714.37 feet, Chord bearing = S.32°46'49"W. 1559.08 feet to the east-west centerline through the section; thence N.89°59'55"W. 419.33 feet along said east-west centerline to the Southeast corner of Pine Brook Subdivision, Division No. 1, Madison County, Idaho; thence along the South boundary line of said Pine Brook Subdivision S.89°59'39"W. 1176.68 feet; thence S.89°59'46"W. 1118.00 feet the point of beginning.

Parcel contains 93.105 acres and is subject to the existing County Road right-of-way along the west side of the above described parcel.

### **TRACT 1 – RURAL RESIDENTIAL TWO (RR2) ZONING**

Part of the South Half of the North Half (S 1/2 N 1/2) of Section 13, Township 6 North, Range 39 East of the Boise Meridian, Madison County, Idaho described as follows:

Beginning at point that is N.00°11'19"W. 629.35 feet along the section line from the West Quarter corner of said Section 13 and running thence 672.15 feet along said west line to the Southwest corner of the First Amended Plat, J and M Subdivision, Madison County, Idaho; thence along the south boundary of said J and M Subdivision the following three (3) courses: (1) S.89°59'39"E. 1923.66 feet to a found 1/2" iron rod; thence (2) N.89°54'46"E. 344.45 feet to a found 1/2" iron rod at the Southeast corner of said J and M Subdivision; thence (3) N.00°11'19"W. 9.12 feet to the north line of the South Half of the North Half (S 1/2 N 1/2) of said Section 13; thence N.89°59'53"E. 874.36 feet along said north line; thence S32°17'27"W 921.82 feet; thence S89°59'46"W 431.87 feet to the Northeast corner of Pine Brook Subdivision, Division No. 1, Madison County, Idaho; thence along the boundary of said Pine Brook Subdivision the following four (4) courses: (1) S.89°59'46"W. 793.71 feet; thence (2) S.00°11'24"E. 14.30 feet to a point on a curve; thence (3) 202.48 feet along said curve, Curve Data: Delta = 72°41'38", Radius = 159.59 feet, Chord bearing = N.53°39'25"W. 189.17 feet; thence (4) S.89°59'46"W. 1269.88 feet to the point of beginning.

Parcel contains 48.21 acres and is subject to the existing County Road right-of-way along the west side of the above described parcel. ALSO,

Part of the South Half of the North Half (S 1/2 N 1/2) of Section 13, Township 6 North, Range 39 East of the Boise Meridian, Madison County, Idaho described as follows:

Beginning at the West Quarter corner of said Section 13 and running thence N00°11'19"W 565.35 feet along the west section line of said Section 13 to the Southwest corner of Pine Brook Subdivision, Division No. 1, Madison County, Idaho; thence along the boundary of said Pine Brook Subdivision the following two (2) courses; (1) N89°59'46"E 1119.82 feet; thence (2) S00°00'14"E 565.35 feet to the south section line of said Section 13; thence along said section line S89°59'46"W 1118.00 feet to the point of beginning.

Parcel contains 14.52 acres and is subject to the existing County Road right-of-way along the west side of the above described parcel.

### **TRACT 2 – RURAL RESIDENTIAL TWO (RR2) ZONING**

Part of the South Half of the North Half (S 1/2 N 1/2) of Section 13, Township 6 North, Range 39 East of the Boise Meridian, Madison County, Idaho described as follows:

Beginning at point that is N.89°59'46"E. 2294.68 feet along the south section line from the West Quarter corner of said Section 13 said point being the Southeast corner of Pine Brook Subdivision, Division No. 1, Madison County, Idaho, running thence along the boundary of said Pine Brook Subdivision the following four (4) courses: (1) N.00°00'14"W. 246.84 feet; thence (2) S.89°59'46"W. 32.80 feet to a point on a curve; thence (3) 221.43 feet along said curve to the left, Curve Data: Delta = 253°44'25", Radius = 50.00 feet, Chord bearing = N.36°52'26"W. 80.00 feet; thence (4) N.00°00'14"W. 220.65 feet to the Northeast corner of said Pine Brook Subdivision; thence N89°59'46"E 431.87 feet; thence N32°17'27"E 921.82 feet to the north line of the South Half of the North Half (S 1/2 N 1/2) of said Section 13; thence N.89°59'53"E. 419.96 feet along said north line to a point on a curve on the westerly right-of-way line of U.S. Highway No. 20, Federal Aid Project No. F-6471(82); thence 1561.16 feet along said curve to the left, Curve Data: Delta = 10°15'52", Radius = 8714.37 feet, Chord bearing = S.32°46'49"W. 1559.08 feet to the east-west centerline through the section; thence N.89°59'55"W. 419.33 feet along said east-west centerline to the point of beginning. Parcel contains 14.14 acres.

**TRACT 3 – RURAL RESIDENTIAL ONE (RR1) ZONING**

All lots of Pine Brook Division No. 1, Madison County, Idaho.

The Parcels identified on the **Annexation map** dated November 15, 2007, 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 properties hereby annexed to the City of Rexburg be, and the same are hereby classified under the Zoning Ordinance of the City of Rexburg as above set forth; that the Zoning shall be amended to show this annexation and classification of the above described properties 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 19<sup>th</sup> day of December, 2007.

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Shawn Larsen, Mayor

(~~SEAL~~)

**ATTEST:**

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Blair D. Kay, City Clerk

STATE OF IDAHO    )  
                                  )ss:  
County of Madison    )

I, BLAIR D. KAY, 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 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 19<sup>th</sup> day of December, 2007.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City of Rexburg, Idaho, this 19<sup>th</sup> day of December, 2007.

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Blair D. Kay, City Clerk

(~~SEAL~~)