

RECEIVED

NOV 18 2009

TECHNICAL SUPPORT

Instrument # 373048

RIGBY, JEFFERSON, IDAHO

12-18-2008 09:39:00 No. of Pages: 5

Recorded for : CITY OF RIGBY

CHRISTINE BOULTER

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: ORDINANCE

CITY ORDINANCE NO 08-539  
OF THE CITY OF RIGBY, JEFFERSON COUNTY, IDAHO

227

AN ORDINANCE AMENDING THE ZONING OF THE CITY OF RIGBY  
AND PLANNING AND ZONING MAP OF THE CITY OF RIGBY,  
JEFFERSON COUNTY, IDAHO, BY ANNEXING AND ZONING  
A CERTAIN PARCEL OF LAND INTO THE CITY OF RIGBY  
AS COMMERCIAL IN CONFORMANCE WITH RIGBY PLANNING  
AND ZONING ORDINANCE.

PREAMBLE

Since certain real property lying contiguous to the City boundaries shall be annexed into the corporate limits of the City of Rigby, and this property needs to be zoned for the benefit of the City of Rigby;

WHEREAS, public hearings were held on April 10, 2008 before the Planning and Zoning Commission and on May 20, 2008 before the Rigby City Council, following publication and notice,

BE IT ORDAINED by the Mayor and City Council of the City of Rigby, Idaho, as follows:

SECTION ONE

The Rigby City Council determines that upon the recommendations of the Rigby Planning and Zoning Commission hearing, publication and notice, it would be in the best interests of the City of Rigby, to zone the below-described property Commercial and shall be incorporated into the City of Rigby and as such, shall be subject to taxation by the City; this City Council has the authority to incorporate the below-described property to the City of Rigby, pursuant to Idaho Code §50-222:

GENERAL LOCATION: Located approximately Rigby Lake Road and 400 North.

THE LEGAL DESCRIPTION IS: *Township 4 North, Range 39 East of the Boise Meridian, Jefferson County, Idaho.*

*Section 7: Beginning at the Southeast Corner of Section 7 and running thence S89°42'07"W along the South line of Section 7 for a distance of 671.17 feet to the Westerly right-of-way line of a county road; thence N29°19'00"E along said right-of-way for a distance of 311.72 feet to the True Point of Beginning; thence S89°42'07"W for a distance of 795.67 feet to the West line of the Southeast Quarter of the Southeast Quarter of Section 7; thence N00°04'11"W along said West line for a distance of 483.00 feet; thence S88°40'00"E for a distance of 545.00 feet; thence S89°24'00"E for a distance of 457.57 feet to a point on the Westerly County Road right-of-way curve to the right; Delta = 11°42'01" Radius = 2221.79' Arc Length 453.71' Tangent = 227.65' for a Chord Bearing of S23°27'59"W for a distance of 452.92 feet; thence S29°19'00"W along said right-of-way for a distance of 52.67 feet to the True Point of Beginning.*

*Excepting Therefrom: A parcel of land located in Township 4 North, Range 39 East of the Boise Meridian, Jefferson County, Idaho. Section 7: Beginning at the Southeast Corner of Section 7 and running thence S89°42'07"W along the South line of Section 7 for a distance of 768.17 feet; thence N00°04'11"W for a distance of 271.00 feet to the True Point of Beginning; thence S89°42'07"W for a distance of 545.71 feet to the West line of the Southeast Quarter of the Southeast Quarter of Section 7; thence N00°04'11"W along said West line for a distance of 7.00 feet to an existing fence line; thence N89°57'00"E along said fence line for a distance of 545.70 feet; thence S00°04'11"E for a distance of 4.64 feet to the True Point of Beginning*

## SECTION TWO

The Mayor of the City of Rigby is hereby authorized and directed to amend the zoning map of the territories zoned under the provisions of this Ordinance.

## SECTION THREE

The corporate limits of the City of Rigby are hereby extended and increased so as to include and embrace within the corporate limits of the City of Rigby the territory described in Section One hereof, and such territory is hereby annexed and declared to be a part of the City of Rigby.

## SECTION FOUR

The annexations are in accordance with the provisions of Idaho Code §67-6525.

## SECTION FIVE

It is further resolved that the Planning and Zoning laws shall reflect the Commercial zone.

## SECTION SIX

The map or plat attached to this Ordinance is an accurate map of the territory annexed, the same is hereby adopted as the official map and plat of the territory hereby annexed, which map and plat shows legal boundaries thereof, together with the avenues, streets, alleys, and lanes and the locations thereof, the same is hereby dedicated to public use for the purposes designated on the map or plat, if any.

## SECTION SEVEN

The Mayor of the City of Rigby is hereby authorized and directed to certify that the map is an accurate map of the territory annexed under the provisions of this Ordinance.

## SECTION EIGHT

This Ordinance, with a certified copy of the official map attached hereto, shall be recorded within ten (10) days of the passage of the Ordinance in the office of the auditor, treasurer and assessor, County of Jefferson, State of Idaho. Pursuant to Idaho Code §50-223, a copy of this Ordinance shall also be filed with the Idaho State Tax Commission to comply with the requirements of Section 63-2215 of the Idaho Code.

## SECTION NINE

The Rigby City Council does not deem it appropriate to survey the land to be annexed in this instance.

RECEIVED

NOV 18 2009

TECHNICAL SUPPORT

SECTION TEN

On the filing and recording of the copy of this Ordinance, together with the attached official map, in the office of the County Recorder of the County of Jefferson, State of Idaho, the fee of all avenues, lanes, streets, highways, roads and alleys shown in and on the map and plat shall vest in the City of Rigby.

SECTION ELEVEN

If any provision of this Ordinance shall be held invalid, its invalidity shall not affect any other provisions of this Ordinance that can be given effect without the invalid provision, and for the purpose of the provisions of this Ordinance are hereby declared to be severable.

SECTION TWELVE

The property to be annexed is that of a category "A" annexation as set forth in Idaho Code Section 50-222 and that all procedural requirements have been met for such annexations.

SECTION THIRTEEN

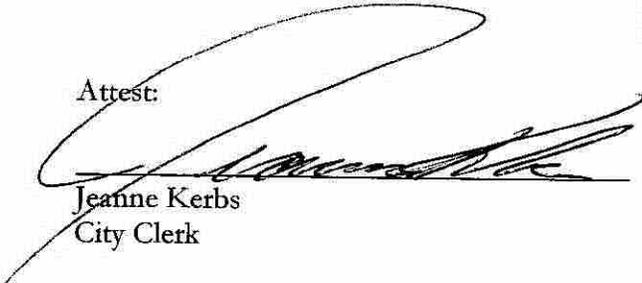
Pursuant to Idaho Code §50-901A, a summary of this Ordinance may be published.

Passed by the City Council of the City of Rigby on the 20<sup>th</sup> day of May, 2008.

CITY OF RIGBY

  
\_\_\_\_\_  
Honorable Ryan Brown  
Mayor, City of Rigby

Attest:

  
\_\_\_\_\_  
Jeanne Kerbs  
City Clerk

SUMMARY OF RIGBY CITY  
ORDINANCE NO. 08-539

A SUMMARY OF THE RIGBY CITY ORDINANCE NO. 08-539 PROVIDING FOR THE INITIAL ZONING AND EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF RIGBY, JEFFERSON COUNTY, IDAHO, IS AS FOLLOWS:

PREAMBLE: States that a request has been made to annex certain real property into the City limits of the City of Rigby, more particularly described by the map attached hereto.

SECTION ONE: States that the Rigby City Council finds that annexation would be in the City's best interest and described by the map attached hereto:

GENERAL LOCATION: Located at approximately Rigby Lake Road and 400 North

THE LEGAL DESCRIPTION IS: *Township 4 North, Range 39 East of the Boise Meridian, Jefferson County, Idaho. Section 7: Beginning at the Southeast Corner of Section 7 and running thence S89°42'07"W along the South line of Section 7 for a distance of 671.17 feet to the Westerly right-of-way line of a county road; thence N29°19'00"E along said right-of-way for a distance of 311.72 feet to the True Point of Beginning; thence S89°42'07"W for a distance of 795.67 feet to the West line of the Southeast Quarter of the Southeast Quarter of Section 7; thence N00°04'11"W along said West line for a distance of 483.00 feet; thence S88°40'00"E for a distance of 545.00 feet; thence S89°24'00"E for a distance of 457.57 feet to a point on the Westerly County Road right-of-way curve to the right; Delta = 11°42'01" Radius = 2221.79' Arc Length 453.71' Tangent = 227.65' for a Chord Bearing of S23°27'59"W for a distance of 452.92 feet; thence S29°19'00"W along said right-of-way for a distance of 52.67 feet to the True Point of Beginning. Excepting Therefrom: A parcel of land located in Township 4 North, Range 39 East of the Boise Meridian, Jefferson County, Idaho. Section 7: Beginning at the Southeast Corner of Section 7 and running thence S89°42'07"W along the South line of Section 7 for a distance of 768.17 feet; thence N00°04'11"W for a distance of 271.00 feet to the True Point of Beginning; thence S89°42'07"W for a distance of 545.71 feet to the West line of the Southeast Quarter of the Southeast Quarter of Section 7; thence N00°04'11"W along said West line for a distance of 7.00 feet to an existing fence line; thence N89°57'00"E along said fence line for a distance of 545.70 feet; thence S00°04'11"E for a distance of 4.64 feet to the True Point of Beginning*

SECTION TWO: States that the Mayor is authorized to amend the zoning map.

SECTION THREE: States that the corporate limits are extended and increased to include the territory described in Section One.

SECTION FOUR: States that the annexation is in accordance with Rigby Ordinance.

SECTION FIVE: States the Planning and Zoning laws shall reflect the Zone.

SECTION SIX: States the accuracy of the annexation and that the same is dedicated to public use.

SECTION SEVEN: States the Mayor is authorized to certify the map is accurate.

SECTION EIGHT: States the official map shall be recorded and filed with the Idaho State Tax Commission.

SECTION NINE: States the City Council does not deem a survey necessary.

RECEIVED

NOV 18 2009

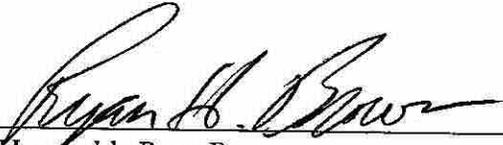
TECHNICAL SUPPORT

- SECTION TEN: Upon filing and recording the copy of this Ordinance, with the official map, the fee shall vest in the City of Rigby.
- SECTION ELEVEN: States that if any provision shall be held invalid, its invalidity shall not affect any other provisions.
- SECTION TWELVE: States the property to be annexed is that of a category "A" annexation as set forth in Idaho Code Section 50-222.
- SECTION THIRTEEN: Provides for a summary of this Ordinance to be published.

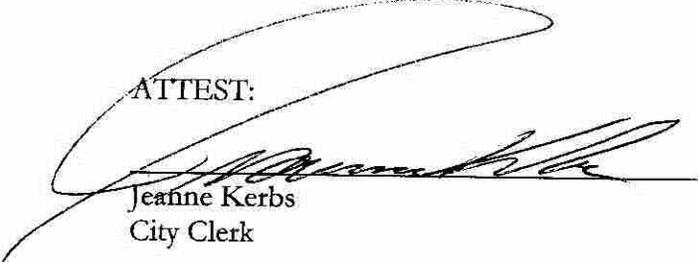
This Ordinance will take effect thirty (30) days after passage by the City Council.

The full text of the Ordinance is available for inspection at the Rigby City Hall to any citizen upon request during normal office hours.

CITY OF RIGBY

  
\_\_\_\_\_  
Honorable Ryan Brown  
Mayor, City of Rigby

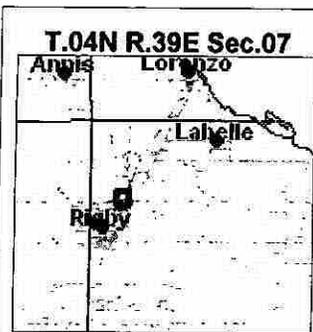
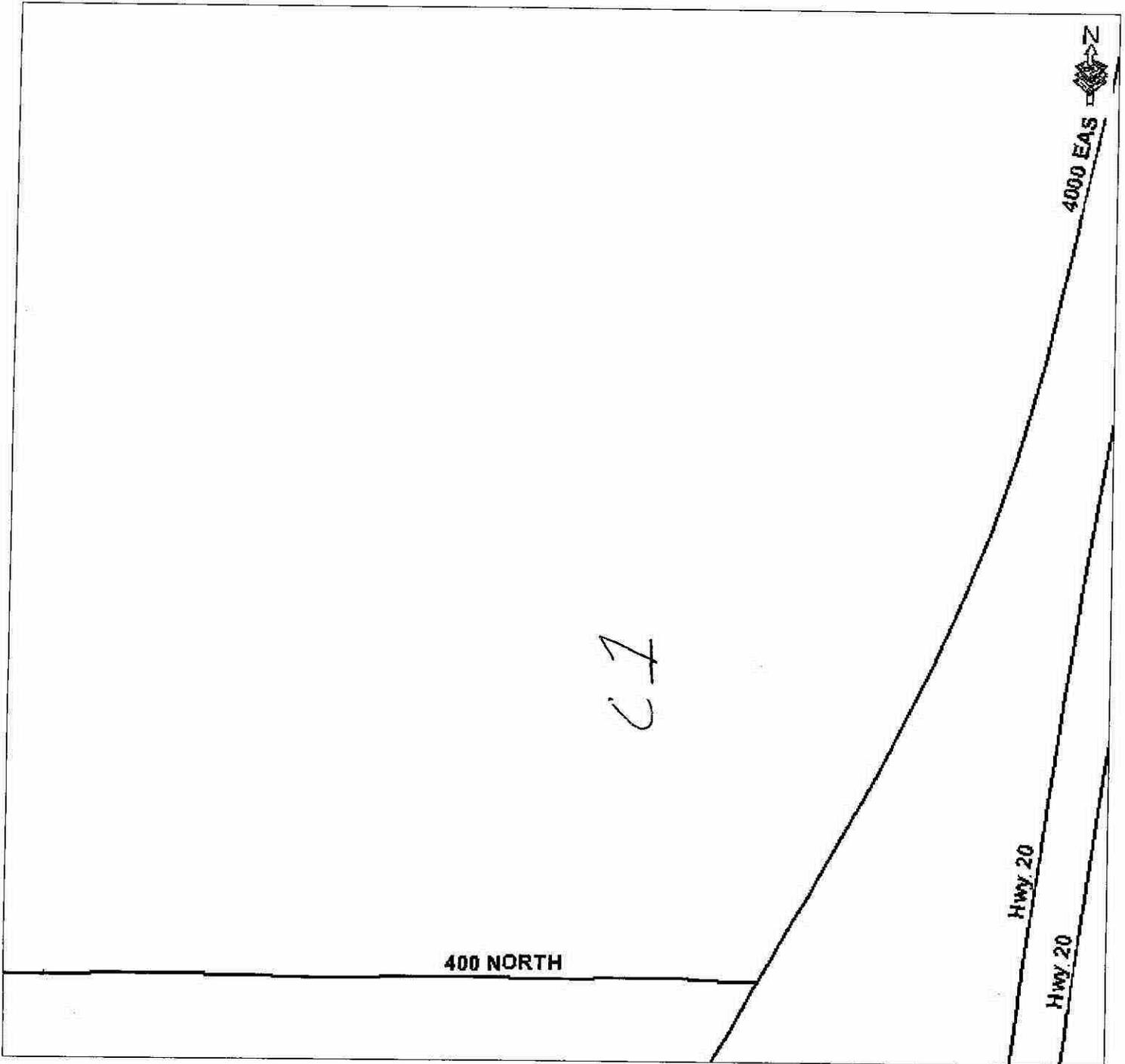
ATTEST:

  
Jeanne Kerbs  
City Clerk

RECEIVED  
NOV 18 2009  
TECHNICAL SUPPORT

**RIGHTIN LAND COMPANY, LLC**

**RP04N39E077641A**



-  Parcels
-  Selected Parcel
-  Roads
-  City Streets and no parcel
-  Lot Lines
-  Subdivision boundary
-  Tax Lot Lines
-  PLSS Sections
-  PLSS 1/16 lines
-  Towns
-  Rivers

Map Scale 1:2400

One Inch = 4000 Feet

Feet 2000 4000 6000 8000 10000

This Drawing is to be used for reference purposes only. The county is not responsible for any inaccuracies contained herein.

**RECEIVED**

**NOV 18 2009**

**TECHNICAL SUPPORT**