



CITY OF  
**REXBURG**  
*America's Family Community*

## ORDINANCE 969

**AN ORDINANCE VACATING AN EASEMENT IN THE REXBURG BUSINESS PARK FOR A RETENTION POND AS SHOWN ON THE REXBURG BUSINESS PARK SUBDIVISION PHASE ONE (1) LOT ONE (1), BLOCK TWO (2); AND ARTCO BUSINESS PARK SUBDIVISION LOT THREE (3), BLOCK TWO (2); LOCATED IN SECTION SEVENTEEN (17), TOWNSHIP SIX (6) NORTH, RANGE 40 EAST, B.M., MADISON COUNTY, IDAHO. THE RETENTION POND IS TO BE RECONFIGURED TO ACCOMMODATE A NEW DEVELOPMENT.**

BE IT ORDAINED by the Mayor and City Council of the City of Rexburg, Idaho:

**SECTION I:** That the following described platted easement for the retention pond in the Rexburg Business Park and the Artco Subdivision to the City of Rexburg, Idaho, to-wit:

The easement is located at 1190 Stocks Avenue in Rexburg, Madison County, Idaho, with an area of 8,250 square feet.

is hereby vacated, closed and discontinued for the exclusive use of the owners of the adjacent real estate as provided by the statutes of the State of Idaho. The easement will be reconfigured to allow for a retention pond of the same size with a rectangular shape.

Any and all existing easements for public utilities located in the portion of the vacated easement of said property shall remain as public easements and are not vacated.

**SECTION II:** The vacation of such easement is deemed expedient for the public good as it will promote the orderly development of said area.

**SECTION III:** This ordinance shall take effect and be in full force and effect from and after its passage, approval and due publication as provided by law.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 16th day of August, 2006.

(SEAL)

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Shawn Larsen, Mayor

ATTEST:

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Blair D. Kay, City Clerk

