



## ORDINANCE 971

### **AN ORDINANCE VACATING AND CLOSING A PORTION OF THE RIGHT-OF-WAY FOR TARGHEE DRIVE IN THE CITY OF REXBURG, IDAHO, AND DIRECTING THAT THE VACATED PROPERTY BE CONVEYED TO THE ADJOINING PROPERTY OWNERS**

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

**SECTION I:** That the following described platted right-of-way for Targhee Drive of the City of Rexburg, Madison County Idaho, to-wit:

#### **Tract 1**

Beginning at a point that is S89°48'44"W 595.84 feet along the east-west center section line and S00°16'02"E 180.97 feet from the east quarter corner Section 25, Township 6 North, Range 39 East of the Boise Meridian, Madison County, Idaho; running thence S89°32'54"W 104.39 feet to a point on a curve having a radius of 40.00 feet and a chord that bears S49°45'17"E 52.16 feet; thence to the right along said curve 56.82 feet thru a central angle of 81°22'46"; thence N89°32'54"E 124.73 feet; thence N0°16'05"W 34 feet; thence S89°32'54"W 60 feet to the Point of Beginning.

#### **Tract 2**

Beginning at a point that is S89°48'44"W 595.84 feet along the east-west cent section line, S00°16'02"E 180.97 feet and S00°16'02"E 68.00 feet from the east quarter corner of Section 25, Township 6 North, Range 39 East of the Boise Meridian, Madison County, Idaho; running thence S89°32'54"W 44.38 feet to a point on a curve having a radius of 20.00 feet and a chord that bears S44°33'58"W 28.28 feet; thence to the left along said curve 31.41 feet thru a central angle of 89°57'51"; thence N00°11'50"W 47.81 feet to a point on a curve having a radius of 40.00 feet and a chord that bears N4°37'18"W 6.07 feet; thence to the left along said curve 6.075 feet thru a central angle of 08°52'08"; thence N89°32'54"E 124.73 feet; thence S0°16'5"E 33.96 feet; thence S89°32'54"W 60 feet to the Point of Beginning.

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. Title to said portion of the street right-of-way so vacated shall revert to the adjoining property owners, and the Mayor and City Clerk are directed to execute to said owners in the name of the City of Rexburg, a Quitclaim Deed to the portion of said street right-of-way so vacated and closed as provided by law, subject to reversion to the City of Rexburg, Idaho, in the event the present property owners ever attempt to sell or dispose of said property.

Any and all existing easements for public utilities located in the portion of the vacated right-of-way of said street shall remain as public easements and are not vacated.

**SECTION II:** The vacation of such portion of the right-of-way for Targhee Drive 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 CITY COUNCIL AND APPROVED BY THE MAYOR this 21<sup>ST</sup> day of June, 2006.

