



## ORDINANCE 974

### **AN ORDINANCE VACATING AND CLOSING A PORTION OF THE RIGHT-OF-WAY FOR EAST MAIN STREET ADJACENT TO MADISON MEMORIAL HOSPITAL PARKING LOT 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 right-of-way located at the east end of Main Street adjacent to the old Madison Memorial Hospital parking lot near 450 East Main Street in Rexburg, Madison County, Idaho, to-wit:

Beginning at a point that is N89°47'49"E 1472.54 feet along the section line from the Southwest corner of Section 20, Township 6 North, Range 40 East of the Boise Meridian and running thence N0° 15'05"W 158.46 feet; thence S33° 59'55"W 152.00 feet to a point of curve; thence along the following two (2) curves as follows: (1) the radius point of which bears S56° 00'05"E 172.19 feet, and a chord that bears S16° 53'20"W 101.31 feet, thence to the left along said curve 102.83 feet through a central angle of 34° 13'03" to a point of curve; (2) the radius point of which bears N89° 46'51"E 220.00 feet, and a chord that bears S0° 30'23"E 2.21 feet; thence to the left along said curve 2.21 feet through a central angle of 0° 34'29"; thence N89° 53'12"E 115.39 feet; thence N0° 15'05"W 66.48 feet to the Point of Beginning, containing 0.365 acres.

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 located at the east end of Main Street adjacent to the old Madison Memorial Hospital parking lot 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 18<sup>th</sup> day of October, 2006.

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Shawn Larsen, Mayor

(SEAL)  
ATTEST:

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Blair D. Kay, City Clerk

