



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

## ORDINANCE NO. 596

**AN ORDINANCE EXPRESSING THE INTENTION OF THE CITY OF REXBURG TO SELL, ON DECEMBER 20, 1978, AT 8 O'CLOCK P.M., THE HEREINAFTER DESCRIBED REAL PROPERTY BELONGING TO THE CITY AND WHICH PROPERTY HAS CEASED TO BE USED FOR PUBLIC PURPOSES; SETTING FORTH THAT THE PROPERTY HAS BEEN APPRAISED AND WILL BE SOLD TO THE HIGHEST BIDDER ABOVE THE APPRAISED VALUE AT PUBLIC AUCTION, FOR CASH OR CONTRACT, THE CITY RESERVING THE RIGHT TO REJECT ANY AND ALL BIDS, AND GIVING NOTICE THAT NO SALE SHALL OCCUR UNTIL DECEMBER 20, 1978, AT 8 O'CLOCK P.M., DURING WHICH TIME THE QUALIFIED ELECTORS OF THE CITY OF REXBURG, IDAHO, MAY EXPRESS DISSATISFACTION IN THE MANNER AND FORM AS PROVIDED BY SECTION 50-1403, IDAHO CODE, AND PROVIDING THAT THIS ORDINANCE WILL BE EFFECTIVE AFTER ITS PASSAGE, APPROVAL AND PUBLICATION.**

**WHEREAS**, the City of Rexburg is the owner of the following described real property situated in Rexburg, Madison County, State of Idaho, to-wit:

Commencing at the Northeast corner of Lot 2, Block 33 of the original Rexburg Townsite, City of Rexburg, Madison County, Idaho, as per the recorded plat thereof and running thence North 82.5 feet; thence West 165 feet; thence South 82.5 feet; thence East 165 feet to the point of beginning.

**WHEREAS**, the above described real property has ceased to be used and is not now used for public purposes, and

**WHEREAS**, the City Council has caused said property to be appraised as provided by Section 50-1402, Idaho Code.

THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE COUNCIL OF THE CITY OF REXBURG, IDAHO:

**SECTION I:** NOTICE IS HEREBY GIVEN THAT it is the intention of the City Council of the City of Rexburg to sell on

December 20, 1978, at 8 o'clock P.M. at the City Hall, Rexburg, Idaho, the above described real property at public auction to the highest bidder. No bids shall be accepted for less than the appraised value, and the Council reserves the right to reject any and all bids. However, in the event no bids are received, the City Council will sell such property as it deems in the best interests of the City. Such property will be sold for cash or contract as provided by Section 50-1406, Idaho Code.

**SECTION II:** NOTICE IS FURTHER GIVEN that no sale of the real property above described shall occur until December 20, 1978, at 8 o'clock P.M., which is more than sixty days from the date of the passage of this ordinance. Qualified electors of the City, on or before December 20, 1978, at 8 o'clock P.M., may express dissatisfaction with said sale by filing a petition with the City Clerk, containing the names of qualified electors of the City of Rexburg in a number equal to ten per cent of the total votes cast for Mayor at the preceding City Election. if such a petition is filed with the City Clerk on or before said date, the City Council shall call a special election to be held on the question of whether or not the real property shall be sold., as provided by Section 50-1403, Idaho Code.

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

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 18th day of October,

1978.

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John C. Porter, Mayor

(SEAL)

ATTEST:

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Rose Bagley, City Clerk

STATE OF IDAHO    )  
                                  )ss.  
County of Madison    )

I, ROSE BAGLEY, City Clerk of the City of Rexburg, Idaho, do hereby certify: That the foregoing is a full, true and correct copy of an ordinance entitled:

**AN ORDINANCE EXPRESSING THE INTENTION OF THE CITY OF REXBURG TO SELL, ON DECEMBER 20, 1978, AT 8 O'CLOCK P.M., THE HEREINAFTER DESCRIBED REAL PROPERTY BELONGING TO THE CITY AND WHICH PROPERTY HAS CEASED TO BE USED FOR PUBLIC PURPOSES; SETTING FORTH THAT THE PROPERTY HAS BEEN APPRAISED AND WILL BE SOLD TO THE HIGHEST BIDDER ABOVE THE APPRAISED VALUE AT PUBLIC AUCTION, FOR CASH OR CONTRACT, THE CITY RESERVING THE RIGHT TO REJECT ANY AND ALL BIDS, AND GIVING NOTICE THAT NO SALE SHALL OCCUR UNTIL DECEMBER 20, 1978, AT 8 O'CLOCK P.M., DURING WHICH TIME THE QUALIFIED ELECTORS OF THE CITY OF REXBURG, IDAHO, MAY EXPRESS DISSATISFACTION IN THE MANNER AND FORM AS PROVIDED BY SECTION 50-1403, IDAHO CODE, AND PROVIDING THAT THIS ORDINANCE WILL BE EFFECTIVE AFTER ITS PASSAGE, APPROVAL AND PUBLICATION.**

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR on the 18th day of October, 1978.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said City of Rexburg, Idaho, this 18th day of October, 1978.

\_\_\_\_\_  
Rose Bagley, City Clerk

(SEAL)