



ORDINANCE 803

AN ORDINANCE ALLOWING FOR THE PERMANENT CLOSURE AND ABANDONMENT OF THE STREET KNOWN AS 4th SOUTH (VIKING DRIVE) RUNNING BETWEEN CENTER STREET AND 1st EAST

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

SECTION I: That the following described right-of-way on 41 South of the City of Rexburg, Idaho, to-wit:

Commencing at the center of the intersection (78415 7.95 Northing and 75 721.99 Easting) of Center Street and 4th South in the town of Rexburg, Madison County, Idaho, thence S45E15' 2"E a distance of 70 feet to the point of beginning, thence N 89E44'58" E a distance of 660 feet along the South right-of way line of 4th South Street, thence No E15' 2 " a distance 99 feet along the West projected right-of -way line of 1st East Street, thence S89E44'58"W a distance of 660feet along the South right-a-way line of 4th South street, thence SOE15'2" a distance of 99 feet along the projected right-a-way line of Center Street of 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 if 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 4th South (Viking 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 effective from and after its passage, approval and due publication as provided by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR, this 15th day of April, 1998.

Nile L. Boyle, Mayor

(SEAL)

ATTEST:

