



**ORDINANCE 804**

**AN ORDINANCE ALLOWING FOR THE PERMANENT CLOSURE AND ABANDONMENT OF THE STREET KNOWN AS THE "OLD SALEM HIGHWAY AS IT RUNS FROM THE SUGAR CITY HIGHWAY TO THE CURRENT SALEM HIGHWAY, BETWEEN THE STOCKYARDS AND THE VETERINARY CLINIC.**

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

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

Beginning at a point on the East right-of-way line of the Salem Road, said point being 33.0 feet East and North 0E 38'00" East 1123.2 feet from the Southwest corner of Section 17, Township 6 North, Range 40 East, Boise Meridian; thence running North 0E38'00 " East a distance of 179.0 feet; thence turning and running Southeasterly with a curve, said curve having a radius of 3 79.3 feet and a tangent bearing South 6 E35'00 " East, a distance of 270.1 feet, more or less, to a point on the West right-of-way line of the Yellowstone Branch of the Union Pacific Railroad, said point being 1066.6 feet North and 167.3 feet East of the said Southwest corner of Section 17; thence South 30E40'00 " West a distance of 61.3 feet; thence Northwesterly with curve, said curve having a radius of 439.3 feet and a tangent bearing North 48E49.00 " West, a distance of 140.9 feet, more or less, to the point of beginning, containing approximately 259 acres.

is hereby vacated, closed and discontinued for the exclusive use of the owners of the adjacent real estate as provided by the statues 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 Quite claim 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 of the "Old Salem Highway" 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 COUNCIL AND APPROVED BY THE MAYOR on this 3rd day of June, 1997.

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Nile Boyle, Mayor

(SEAL)

ATTEST:

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Rose Bagley, City Clerk

