



ORDINANCE 805

AN ORDINANCE ALLOWING FOR THE PERMANENT CLOSURE AND ABANDONMENT OF THE CITY STREET KNOWN AS NORTH 5TH WEST, FROM APPROXIMATELY 650 FEET NORTH OF THE CENTERPOINT OF THE INTERSECTION OF 5th WEST AND 2nd NORTH, RUNNING APPROXIMATELY 450 FEET NORTH; THAT AREA WHICH FALLS WITHIN THE MADISON COUNTY FAIRGROUNDS.

BE IT ORDAINED BY the City of Rexburg, Idaho:

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

Commencing at the Southeast corner of the Northeast quarter of Section 24, Township 6 North, Range 39 East, Boise Meridian, in Madison County Idaho and running thence South 45.22 feet to the point of beginning, thence East 49.50 feet, thence South 371.34 feet, thence West 49.50 feet, thence North 53°56'15" West a distance of 61.42 feet, thence North a distance of 351.19 feet, thence East a distance of 49.50 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 statues of the State of Idaho. Title to said portion of the said 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 North 5th West 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 frill 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 4th day of December, 1996.

