

0368293

ORDINANCE NO. 1320

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, VACATING THAT PORTION OF FIRST AVENUE SOUTH LYING BETWEEN SOUTH 6TH STREET & SOUTH 7TH STREET; PROVIDING FOR EXECUTION OF A QUITCLAIM DEED BY THE MAYOR CONVEYING TITLE OF THE VACATED PROPERTY TO THE ADJACENT LANDOWNERS; RESERVING UTILITY EASEMENTS; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION BY SUMMARY.

WHEREAS, the Payette City Council has determined, and hereby finds, that the portion of First Avenue South lying between South 6th Street and South 7th Street, is no longer needed as a public street and that vacation of the portion of First Avenue South between South 6th Street & South 7th Street is in the public interest; and

WHEREAS, the Payette City Council finds it appropriate to vacate the portion of First Avenue South between South 6th Street & South 7th Street.

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

Section 1: The City of Payette hereby vacates that portion of First Avenue South lying between South 6th Street & South 7th Street.

Section 2: The City reserves any utility easements which may be necessary or convenient for the distribution or delivery of public utilities.

Section 3: The Mayor of the City of Payette is hereby authorized to execute and deliver quitclaim deeds on behalf of the City of Payette, transferring title to one-half (1/2) of each side of the vacated property to the adjacent property owners pursuant to Idaho Code Section 50-31l.

Section 4: This ordinance shall be in full force and effect from and after its passage and publication according to law.

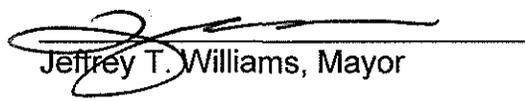
Section 5: This ordinance may be published in summary form in accordance with the statutes of the State of Idaho.

PASSED AND ADOPTED BY THE PAYETTE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 6TH DAY OF JULY, 2010.

APPROVED:

Instrument # 368293

STATE OF IDAHO, PAYETTE COUNTY
8-31-2010 10:46:27 No. of Pages: 2
Recorded for : CITY OF PAYETTE
BETTY J DRESSEN Fee: 0.00
Ex-Officio Recorder Deputy
Index to: ORDINANCE - MISC



Jeffrey T. Williams, Mayor

0368293

ATTEST:

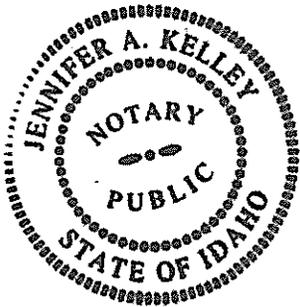
Mary Cordova

Mary Cordova, City Clerk

State of Idaho)
: ss.
County of Payette)

On this 6th day of July, in the year of 2010, before me Jennifer Kelley, a notary public, personally appeared MARY CORDOVA and JEFFERY T. WILLIAMS, personally known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same on behalf of the City of Payette in their official capacities as Mayor and City Clerk.

Jennifer Kelley
Notary Public For Idaho
Residing at: Payette id
Commission expires: 12-11-2014



0368294

DEED

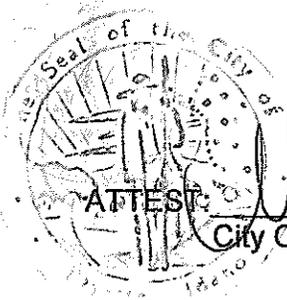
FOR VALUE RECEIVED, CITY OF PAYETTE, Idaho, a municipal subdivision, Grantor, does hereby grant, bargain, sell, convey and setover unto JOHN EDMONDSON, a single man, Grantee, whose address is 34 South 7th Street, Payette, ID, 83661, without warranty, all its right, title and interest in and to the following described lands and premises, located in Payette County, Idaho, to-wit:

See "Exhibit A" which is attached hereto and incorporated hereto as if set out in full verbatim.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, its successors and assigns forever.

Reserving unto the Grantor a utility easement which is described in Exhibit B, which is attached hereto and incorporated heart as if set out in full verbatim.

DATED this 31st day of August, 2010.



ATTEST: [Signature]
City Clerk

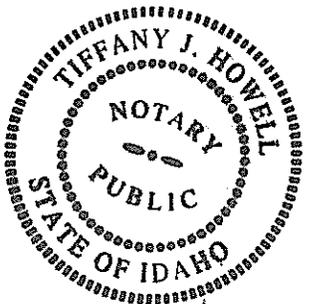
[Signature]
CITY OF PAYETTE
Jeffrey T. Williams, Mayor

Instrument # 368294
STATE OF IDAHO, PAYETTE COUNTY
8-31-2010 10:48:14 No. of Pages: 3
Recorded for : CITY OF PAYETTE
BETTY J DRESSEN Fee: 0.00
Ex-Officio Recorder Deputy [Signature]
Index to: DEED - DEEDS

STATE OF IDAHO)
County of Payette) : ss.

On this 31st day August, 2010, before me, a notary public, personally appeared Jeffrey T. Williams, Mayor and Mary Cordova, City Clerk known to me to be the persons who names are subscribed to the foregoing instrument and who acknowledged to me that they signed the same in their official capacities as the Mayor and City Clerk on behalf of the City of Payette, Idaho, the Grantor.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public for Idaho [Signature]
Residing at: Payette ID
Commission Expires: 5/25/12

EXHIBIT "A"

0368294

Vacation of a portion of First Avenue South within the City of Payette, Payette County, Idaho, the said portion of First Avenue South being described as follows, to-wit:

In the City and County of Payette, Idaho, situate in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, Township 9 North, Range 5 West, Boise Meridian; in W. F. Masters Plat of the City of Payette as per Plat Records in the Office of the Payette County Recorder of Payette, Idaho in Book 1 at page 20 of Plats:

Beginning at the Southeast corner of Lot 10 of Block 3;
Thence South a distance of 100 feet to the Northeast corner of Lot 1 of Block 2;
Thence East along the North sideline of said Block 2 a distance of 155 feet to the Northeast corner of Lot 20 of said Block 2;
Thence North a distance of 100 feet to the Southeast corner of Lot 11 of Block 3;
Thence West along the South sideline of Block 3 a distance of 155 feet to the Southeast corner of Lot 10 of Block 3, the True Point of Beginning.

North Deed

The North $\frac{1}{2}$ of vacated First Avenue South as vacated by Ordinance No. 1320 within the City and County of Payette, Idaho, situate in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, Township 9 North, Range 5 West, Boise Meridian; in W. F. Masters Plat of the City of Payette as per Plat Records in the Office of the Payette County Recorder of Payette, Idaho in Book 1 at page 20 of Plats:

Beginning at the Southeast corner of Lot 10 of Block 3;
Thence South a distance of 50 feet;
Thence East along the center line of vacated First Avenue South a distance of 155 feet;
Thence North a distance of 50 feet to the Southeast corner of Lot 11 of Block 3;
Thence West along the South sideline of Block 3 a distance of 155 feet to the Southeast corner of Lot 10 of Block 3, the True Point of Beginning.

0368294

EXHIBIT "B"

An Easement to the City of Payette, over and across the westerly 20' of land described in Exhibit "A" for utility purposes and also reserving a 20' wide easement on the center line of existing water line of land described in Exhibit "A".

0368295

DEED

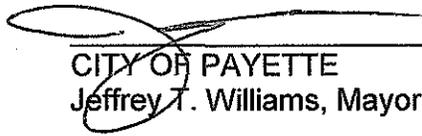
FOR VALUE RECEIVED, CITY OF PAYETTE, Idaho, a municipal subdivision, Grantor, does hereby grant, bargain, sell, convey and setover unto LEE & HELEN REED, husband and wife, Grantees, whose address is PO Box 687, Payette, ID, 83661, without warranty, all its right, title and interest in and to the following described lands and premises, located in Payette County, Idaho, to-wit:

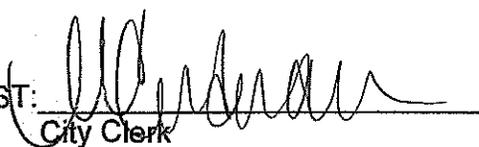
See "Exhibit A" which is attached hereto and incorporated hereto as if set out in full verbatim.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, its successors and assigns forever.

Reserving unto the Grantor a utility easement which is described in Exhibit B, which is attached hereto and incorporated heart as if set out in full verbatim.

DATED this 31st day of August, 2010.


CITY OF PAYETTE
Jeffrey T. Williams, Mayor

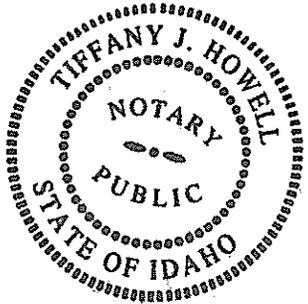
ATTEST: 
City Clerk

Instrument # 368295
STATE OF IDAHO, PAYETTE COUNTY
8-31-2010 10:50:20 No. of Pages: 3
Recorded for : CITY OF PAYETTE
BETTY J DRESSEN Fee: 0.00
Ex-Officio Recorder Deputy 
Index to: DEED - DEEDS

STATE OF IDAHO)
County of Payette) : ss.

On this 31st day August, 2010, before me, a notary public, personally appeared Jeffrey T. Williams, Mayor and Mary Cordova, City Clerk known to me to be the persons who names are subscribed to the foregoing instrument and who acknowledged to me that they signed the same in their official capacities as the Mayor and City Clerk on behalf of the City of Payette, Idaho, the Grantor.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



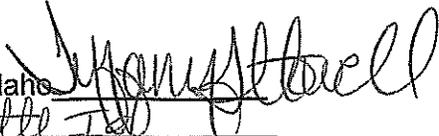

Notary Public for Idaho
Residing at: Payette ID
Commission Expires: 5/25/12

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Thence South a distance of 100 feet to the Northeast corner of Lot 1 of Block 2;
Thence East along the North sideline of said Block 2 a distance of 155 feet to the Northeast corner of Lot 20 of said Block 2;
Thence North a distance of 100 feet to the Southeast corner of Lot 11 of Block 3;
Thence West along the South sideline of Block 3 a distance of 155 feet to the Southeast corner of Lot 10 of Block 3, the True Point of Beginning.

South Deed

The South $\frac{1}{2}$ of vacated First Avenue South as vacated by Ordinance No. 1320 within the City and County of Payette, Idaho, situate in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, Township 9 North, Range 5 West, Boise Meridian; in W. F. Masters Plat of the City of Payette as per Plat Records in the Office of the Payette County Recorder of Payette, Idaho in Book 1 at page 20 of Plats:

Beginning at the Northeast corner of Lot 1 of Block 2;
Thence North a distance of 50 feet;
Thence East along the center line of vacated First Avenue South a distance of 155 feet;
Thence South a distance of 50 feet to the Northeast corner of Lot 20 of Block 2;
Thence West along the North sideline of Block 2 a distance of 155 feet to the Northeast corner of Lot 1 of Block 2, the True Point of Beginning.

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An Easement to the City of Payette, over and across the westerly 20' of land described in Exhibit "A" for utility purposes.