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Re-recorded to correct legal

ORDINANCE NO. 1386

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, VACATING THAT PORTION OF A PUBLIC EASEMENT LOCATED ON A PARCEL OF LAND LOCATED IN SECTION 34, TOWNSHIP 9 NORTH, RANGE 5 WEST, BOISE MERIDIAN, SITUATED IN SE CORNER OF THE SW 1/4 NE 1/4 ; PROVIDING FOR EXECUTION OF A QUITCLAIM DEED BY THE MAYOR CONVEYING TITLE OF THE VACATED PROPERTY TO THE 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 60' wide Public Easement located in that portion of Section 34, Township 9 North, Range 5 West, SW 1/4 NE 1/4 is no longer necessary for the public interest; and

WHEREAS, the Payette City Council finds it appropriate to vacate a portion of a public easement located in Section 34, Township 9 North, Range 5 West, SW 1/4 NE 1/4, while still reserving the east 20' of said easement for the public interest.

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 the West 40' of a 60' public easement located on a parcel of land situated in Section 34, Township 9 North, Range 5 West, Boise Meridian, Payette County and City, State of Idaho, more particularly described as follows:

Commencing at the SE corner of the SW 1/4 NE 1/4 of said Section 34, thence North and coincident with the 1/16 section line, 696.96 feet, thence N. 89° 54'46" W 60.00 feet, thence N. 0°00'00" E 204.50 feet, thence S. 89°54'46" E 60.00 feet, thence S 0°00'00" W 204.50 feet to the point of beginning. ← thence N89° 54'46"W 371.90 feet to the Point of Beginning

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, property to the property owners of record pursuant to Idaho Code Section 50-311.

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.

Instrument # 398223

STATE OF IDAHO, PAYETTE COUNTY
8-26-2015 12:04:15 PM No. of Pages: 3
Recorded for : CITY OF PAYETTE
BETTY J DRESSEN Fee: 0.00
Ex-Officio Recorder Deputy
Index to: ORDINANCE - MISC

Betty J. Dessen

Instrument # 392863

STATE OF IDAHO, PAYETTE COUNTY
10-29-2014 03:43:10 PM No. of Pages: 2
Recorded for : CITY OF PAYETTE
BETTY J DRESSEN Fee: 0.00
Ex-Officio Recorder Deputy
Index to: ORDINANCE - MISC

Betty J. Dessen

0398223 0392863

PASSED AND ADOPTED BY THE PAYETTE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 20TH DAY OF OCTOBER, 2014.

APPROVED:

[Signature]
Jeffrey T. Williams, MAYOR

ATTEST:

[Signature]
Mary Cordova, City Clerk

State of Idaho)
 : ss.
County of Payette)

On this 22nd day of October, in the year of 2014, before me Brenda Stowe, a notary public, personally appeared MARY CORDOVA and JEFFREY 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.

Brenda Stowe
Notary Public For Idaho
Residing at: Payette, Idaho
Commission expires: 04/02/2020

