

0416116

Instrument # 416116

STATE OF IDAHO, PAYETTE COUNTY  
8-7-2018 11:02:37 AM No. of Pages: 4  
Recorded for : PAYETTE, CITY OF  
BETTY J DRESSEN Fee: 0.00  
Ex-Officio Recorder Deputy *Melody Capen*  
Index to: ORDINANCE - MISC

ORDINANCE NO. 1450

**AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, VACATING A PUBLIC EASEMENT LOCATED ON A PARCEL OF LAND LOCATED IN SECTION 34, TOWNSHIP 9 NORTH, RANGE 5 WEST, BOISE MERIDIAN, SITUATED IN SE 1/4 NW1/4 OF SUNSHINE PARK SUBDIVISION, A PORTION OF LOT 2, BLOCK 7; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION BY SUMMARY.**

WHEREAS, the Payette City Council has determined, and hereby finds, that the 12' wide Public Easement located in a portion Lot 2, Block 7, being a portion of the SE1/4 NW 1/4 of Section 34, Township 9 North, Range 5 West, of Sunshine Park Subdivision is no longer necessary for the public interest; and

WHEREAS, the Payette City Council finds it appropriate to vacate the remaining portion of a public easement located in Lot 2, Block 7, being a portion of the SE1/4 NW/14 Section 34, Township 9 North, Range 5 West, of Sunshine Park Subdivision.

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

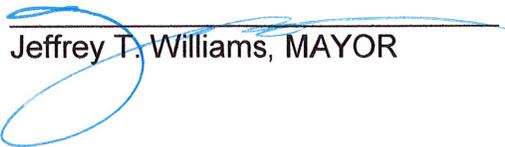
Section 1: The City of Payette hereby vacates utility easement "**See Attached**"

Section 2: This ordinance shall be in full force and effect from and after its passage and publication according to law.

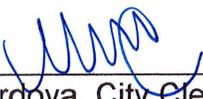
Section 3: This ordinance may be published in summary form in accordance with the statutes of the State of Idaho.

PASSED AND ADOPTED BY THE PAYETTE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 17<sup>th</sup> DAY OF July, 2018.

APPROVED:

  
Jeffrey T. Williams, MAYOR

ATTEST:

  
Mary Cordova, City Clerk

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State of Idaho )  
: ss.  
County of Payette )

On this 17<sup>th</sup> day of July, in the year of 2018, before me Denise Rueschhoff, 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.

**DENISE RUESCHHOFF**  
NOTARY PUBLIC  
STATE OF IDAHO

Denise Rueschhoff  
Notary Public for Idaho  
Residing at: Payette County, Idaho  
Commission expires: 6-29-2023

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**EXHIBIT**  
EASEMENT VACATION

Land in Payette County, Idaho, as follows:

In Township 9 North, Range 5 West, Boise Meridian:

Section 34: In the SE1/4 NW1/4, that portion of Sunshine Park Subdivision, according to the official plat thereof on file at page 73 in subdivision book 6, being instrument no. 327293, records of Payette County, a 12 foot wide strip of land, 6 feet on each side of the following described reference line:

**BEGINNING** at the southwest corner of Lot 5 of said Sunshine Park;  
thence along the line common to Lots 4 and 5 of said Sunshine Park Subdivision,  
N. 00° 46' 03" E. 68.72 feet, to the northwest corner of said Lot 5 and the **POINT  
OF TERMINUS** of said reference line.

EXCEPTING THEREFROM, the north 10 feet and the south 10 feet thereof.



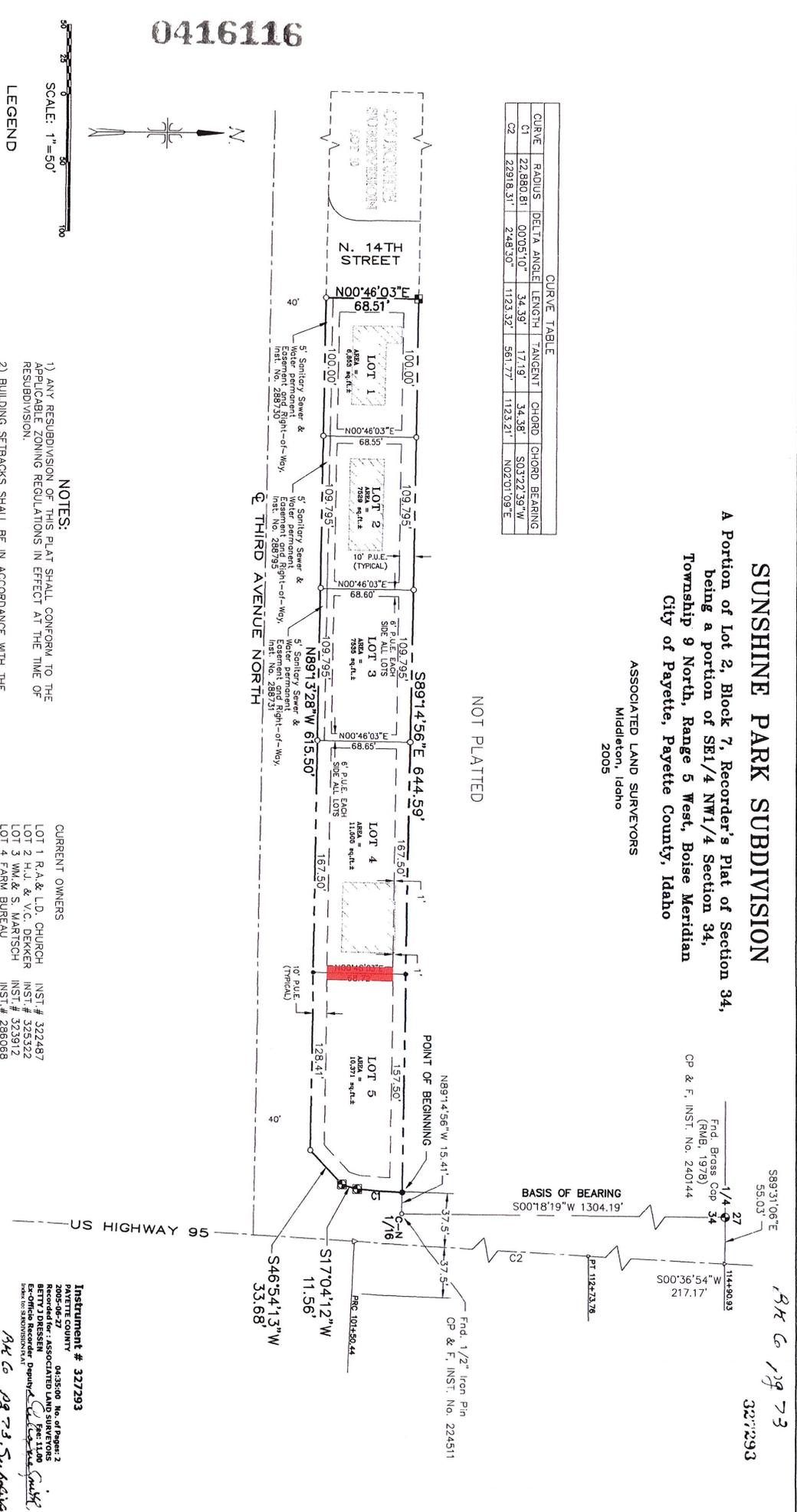
# SUNSHINE PARK SUBDIVISION

A Portion of Lot 2, Block 7, Recorder's Plat of Section 34,  
 being a portion of SE1/4 NW1/4 Section 34,  
 Township 9 North, Range 5 West, Boise Meridian  
 City of Payette, Payette County, Idaho

ASSOCIATED LAND SURVEYORS  
 Middleton, Idaho  
 2005

CURVE	RADIUS	DELTA ANGLE	LENGTH	TANGENT	CHORD	CHORD BEARING
C1	22,880.81	0°05'10"	34.39'	17.19'	34.38'	S03°22'39"W
C2	2,2918.31'	2°48'30"	1123.32'	561.77'	1123.21'	N02°01'09"E

NOT PLATTED



CURRENT OWNERS

LOT	OWNER	INST. #
LOT 1	R.A. & L.D. CHURCH	INST. # 322487
LOT 2	H.J. & V.C. DEKKER	INST. # 325322
LOT 3	W.M. & S. MARTISOH	INST. # 323912
LOT 4	FARM BUREAU	INST. # 288068
LOT 5	FARM BUREAU	INST. # 288068

### NOTES:

- 1) ANY RESUBDIVISION OF THIS PLAT SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RESUBDIVISION.
- 2) BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE ZONING ORDINANCE IN EFFECT AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT FOR EACH LOT.
- 3) LOTS SHALL NOT BE REDUCED BY SIZE WITHOUT PRIOR APPROVAL OF THE APPROPRIATE HEALTH AUTHORITY AND THE PAYETTE CITY COUNCIL.
- 4) TYPICAL PUBLIC UTILITIES, CABLE TV, IRRIGATION AND DRAINAGE EASEMENTS (P.U.E.), FOR ALL LOTS ARE: SIDE LINES SHOULDER, FRONT AND REAR LINES - 10' UNLESS OTHERWISE NOTED. THEY ARE NOT DEDICATED TO THE PUBLIC BUT THE RIGHT OF ACCESS AND THE USE OF SAID EASEMENTS AS REQUIRED TO SERVICE ALL LOTS WITHIN THIS PLATTING, IS PERPETUALLY RESERVED.
- 5) THERE ARE NO PROTECTIVE COVENANTS FILED FOR THIS SUBDIVISION.

SCALE: 1" = 50'

**LEGEND**

- Boundary Line
- Section Line
- Easement Line
- Centerline
- Existing Building
- Found Brass Cap
- Found Aluminum Cap
- Found Brass Cap
- Right-of-Way Monument
- Found 5/8" Iron Pin
- Found 1/2" Iron Pin
- Set 5/8" Iron Pin, PLS 797
- Set 1/2" Iron Pin, PLS 797
- Calculated Point

P.U.E.:  
 Public Utilities, Cable TV, Irrigation  
 and Drainage Easement

Instrument # 327293  
 PAYETTE COUNTY  
 2005-06-27  
 Received for: ASSOCIATED LAND SURVEYORS  
 BETTY JOHNSON Deputy  
 WALTER L. NEITZ  
 License No. 288731

WALTER L. NEITZ  
 PROFESSIONAL LAND SURVEYOR  
 STATE OF IDAHO  
 License No. 797

4/21/05  
 LICENSE NO. 797