

AN ORDINANCE VACATING A PORTION OF THE SUBDIVISION PLAT OF PINE HAVEN SUBDIVISION NO. 3, A TRACT OF LAND BEING ALL OF THAT CERTAIN RIGHT-OF-WAY KNOWN AS ROCKCHUCK LANE, ACCORDING TO THE PLAT OF PINE HAVEN SUBDIVISION, DIVISION NO. 3, AS FILED FOR RECORD AT INSTRUMENT NO. 310295 IN THE OFFICE OF THE FREMONT COUNTY CLERK AND RECORDER, SAID TRACT LYING ENTIRELY WITHIN THE SOUTHEAST ONE-QUARTER OF SECTION 11, TOWNSHIP 11 NORTH, RANGE 42 EAST OF THE BOISE MERIDIAN, FREMONT COUNTY, IDAHO, A PORTION OF ROCKCHUCK LANE, BEGINNING AT THE NW CORNER OF LOT 1 BLOCK 12, SAID PINE HAVEN SUBDIVISION NO 3; THENCE N 20°27'58" E ALONG THE EASTERLY RIGHT-OF-WAY LINE OF WEST PINE HAVEN DRIVE A DISTANCE OF 32.50 FEET; THENCE N 87°49'38" E ALONG THE SOUTH LINE OF BLOCK 8, SAID PINE HAVEN SUBDIVISION NO. 3 A DISTANCE OF 343.99 FEET; THENCE S 18°29'40" W ALONG THE WESTERLY RIGHT-OF-WAY LINE OF EAST PINE HAVEN DRIVE A DISTANCE OF 32.06 FEET; THENCE S 87°49'38" W ALONG THE NORTH LINE OF SAID BLOCK 12 A DISTANCE OF 345.18 FEET TO THE POINT OF BEGINNING; CONTAINING 0.24 ACRES, AS PER THE RECORDED PLAT THEREOF.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF FREMONT COUNTY, IDAHO:

SECTION I: That it is deemed expedient for the public good that the following described platted street of the County of Fremont, State of Idaho, be and is the same hereby vacated, to-wit:

Pine Haven Subdivision No. 3 known as Rockchuck Lane, a tract of land being all of that certain right-of-way known as Rockchuck Lane, according to the plat of Pine Haven Subdivision, Division No. 3, as filed for record at instrument No. 310295 in the office of the Fremont County Clerk and Recorder, said tract lying entirely within the southeast one-quarter of Section 11, Township 11 North, Range 42 East of the Boise Meridian, Fremont County, Idaho, that portion of Rockchuck Lane beginning at the NW corner of Lot 1 Block 12, said Pine Haven Subdivision No 3; thence N 20°27'58" E along the easterly right-of-way line of west Pine Haven Drive a distance of 32.50 feet; thence N 87°49'38" E along the south line of block 8, said Pine Haven Subdivision No. 3 a distance of 343.99 feet; thence S 18°29'40" W along the westerly right-of-way line of east Pine Haven Drive a distance of 32.06 feet; thence S

87°49'38" W along the north line of said block 12 a distance of 345.18 feet to the point of beginning; containing 0.24 acres, as per the recorded plat thereof.

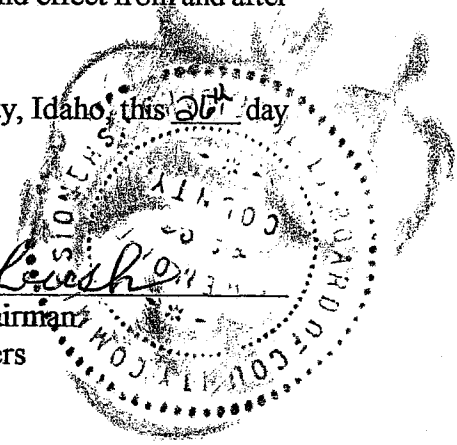
The Fremont County Commissioners deem it in the best interests of the adjoining properties that the portion of the plat so vacated and closed reverts to the owner, the home owners association for Pine Haven Subdivision No. 3. However the rights of way, easement and franchise rights of any lot owners, of Fremont County, or of any public utility shall not be impaired thereby and Fremont County reserves rights of way and easements under, over and across said vacated premises for County purposes.

SECTION II: That the said road so vacated is not necessary for the use as a street of the County of Fremont, Idaho, and is not required for any county purposes other than for possible future rights of way of easement for county utilities or other county purposes.

SECTION III: This ordinance shall take effect and be in full force and effect from and after its passage, approval and due publication as provided by law.

PASSED BY the Board of County Commissioners of Fremont County, Idaho, this 26th day of July, 2004.

Bill Forbush
BILL FORBUSH, Chairman
Board of Commissioners



Abbie Mace
ABBIE MACE
County Clerk