

ORDINANCE NO. 2004-06

AN ORDINANCE VACATING A PORTION OF THE SUBDIVISION PLAT OF THE ELK RUN SUBDIVISION IN SECTION 8 AND 9, OF TOWNSHIP 13 NORTH, RANGE 42 EAST, B.M., FREMONT COUNTY, IDAHO, DESCRIBED AS: A PORTION OF TALL PINE LANE BEGINNING AT A POINT THAT IS N 89°57'57" EAST 60.06 FEET ALONG THE NORTH LINE OF THE SE 1/4 OF SAID SECTION 8 SAID POINT BEING THE NW CORNER OF SAID ELK RUN SUBDIVISION AND RUNNING THENCE N 89°57'57" E 1259.92 FEET TO THE NE CORNER OF SAID SE 1/4 OF THE SE 1/2; THENCE N 89°55'57" EAST 231.94 FEET TO THE WESTERLY RIGHT OF WAY LINE OF ELK RUN DRIVE; THENCE S 41°37'00" E 53.66 FEET ALONG SAID WESTERLY LINE; THENCE S 89°57'57" W 1527.48 FEET; THENCE N 0°02'03" W 40.00 FEET TO THE POINT OF BEGINNING, 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:


Tall Pine Lane in Elk Run Subdivision in Section 8 and 9, of Township 13 North, Range 42 East, B.M., Fremont County, Idaho, described as: that portion of Tall Pine Lane beginning at a point that is N 89°57'57" E 60.06 feet along the north line of the SE 1/4 of said Section 8 said point being the NW corner of said Elk Run Subdivision and running thence N 89°57'57" E 1259.92 feet to the NE corner of said SE 1/4 of the SE 1/2; thence N 89°55'57" east 231.94 feet to the westerly right of way line of Elk Run Drive; thence S 41°37'00" E 53.66 feet along said westerly line; thence S 89°57'57" W 1527.48 feet; thence N 0°02'03" W 40.00 feet to the point of beginning, as per the recorded plat thereof.

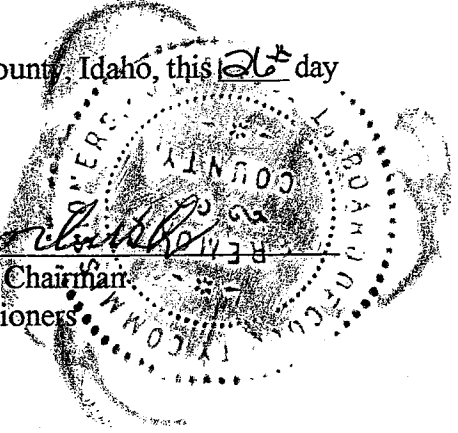
The Fremont County Commissioners deem it in the best interests of the adjoining properties that the portion of the plat so vacated and closed reverts to the owner, Shotgun Valley, LLC. However the rights of way, easement and franchise rights of any lot owners, of Fremont County, or of any public utility 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, Chairman
Board of Commissioners



ATTEST:

ABBIEMACE
County Clerk

