

ORDINANCE NUMBER 1123

AN ORDINANCE VACATING A PORTION OF THE ALLEY LYING WITHIN BLOCK 94, A PORTION OF 10TH STREET LYING ADJACENT TO KETCHUM CEMETERY DISTRICT PROPERTY ON THE NORTH, A PORTION OF 10TH STREET LYING BETWEEN KETCHUM CEMETERY DISTRICT PROPERTY AND BLOCK 94, AND A PORTION OF WALNUT AVENUE LYING BETWEEN BLOCK 94 AND BLOCK 50 ALL WITHIN THE ORIGINAL TOWNSITE OF KETCHUM, IDAHO; ABANDONING SAID RIGHTS OF WAY, AND REVERTING SAID RIGHTS OF WAY TO THE ADJOINING LANDOWNER; AND, ESTABLISHING THE EFFECTIVE DATE HEREOF.

WHEREAS, the City of Ketchum conducted duly noticed public hearings and provided notice on the petition for vacation by the Ketchum Cemetery District pursuant to Ketchum Municipal Code §16.04.050 and Idaho Code §50-1324 and 50-311;

WHEREAS, the City of Ketchum has determined that the portions of 10th Street lying adjacent to Ketchum Cemetery District property on the north, 10th Street lying between Ketchum Cemetery District property and Block 94, and Walnut Avenue lying between Block 94 and Block 50 all within the Original Townsite of Ketchum, more specifically described in Exhibit A attached hereto and made a part hereof, have not been opened or used by the public for five (5) or more years for vehicular access, and adjacent property owners have access to their properties from other public street, I.C. §50-1321;

WHEREAS, the petitioner, Ketchum Cemetery District, will dedicate a ten (10) foot wide sewer easement for the benefit of the City of Ketchum along the west side of the Cemetery property adjacent to SH75;

WHEREAS, the petitioner, Ketchum Cemetery District, will dedicate a ten (10) foot wide public non-motorized access easement over portion of District-owned Lots 3 and 5, Block 94, Original Townsite of Ketchum and a five (5) foot wide public non-motorized access easement along the south boundary of the District property to memorialize historic public trail use in this area; and,

WHEREAS, the City of Ketchum has determined it is in the best interests of the public and the City of Ketchum to accept the public easements as proposed by the Petitioner and to vacate said street and alley rights of way, more specifically described in Exhibit A; and that such vacation will not impair the rights of the adjoining landowners,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO AS FOLLOWS:

Instrument # 633273
HAILEY, BLAINE, IDAHO
2-22-2016 04:41:00 PM No. of Pages: 7
Recorded for : CITY OF KETCHUM
JOLYNN DRAGE Fee: 0.00
Ex-Officio Recorder Deputy
Index to: ORDINANCES

MPP

SECTION 1. All that portion of the alley lying within Block 94, Original Townsite of Ketchum, more specifically described in Exhibit A, is hereby vacated and abandoned and reverts to Petitioner.

SECTION 2. All that portion of 10th Street lying adjacent to Ketchum Cemetery District property on the north, Original Townsite of Ketchum, more specifically described in Exhibit A, is hereby vacated and abandoned and reverts to Petitioner.

SECTION 3. All that portion of 10th Street lying between Ketchum Cemetery District property and Block 94, Original Townsite of Ketchum, more specifically described in Exhibit A, is hereby abandoned and reverts to Petitioner.

SECTION 4. All that portion of Walnut Avenue lying between Block 94 and Block 50, Original Townsite of Ketchum, more specifically described in Exhibit A, is hereby vacated and abandoned and reverts to Petitioner.

SECTION 5. Petitioner shall dedicate a ten (10) foot wide sewer easement for the benefit of the City of Ketchum along the west side of the Cemetery property adjacent to SH75.

SECTION 6. Petitioner shall dedicate a ten (10) foot wide public non-motorized access easement over portion of District owned Lots 3 and 5, Block 94, Original Townsite of Ketchum and a five (5) foot wide public non-motorized access easement along the south boundary of the District property.

SECTION 7. SAVINGS AND SEVERABILITY CLAUSE. It is hereby declared to be the legislative intent that the provisions and parts of this Ordinance shall be severable. If any paragraph, part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 8. CODIFICATION CLAUSE. The City Clerk is instructed to immediately forward this ordinance to the codifier of the official municipal code for proper revision of the code.

SECTION 9. PUBLICATION. This Ordinance shall be published once in the official newspaper of the City, and shall take effect immediately upon its passage, approval, and publication.

SECTION 10. REPEALER CLAUSE. All City of Ketchum code sections, ordinances or resolutions or parts thereof, which are in conflict herewith are hereby repealed.

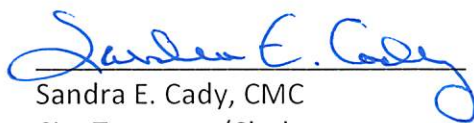
SECTION 11. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, and approved
by the Mayor this 5th day of January, 2015.



Nina Jonas, Mayor

ATTEST:



Sandra E. Cady, CMC
City Treasurer/Clerk



EXHIBIT A

Benchmark Associates, P.A.

ENGINEERING, PLANNING, SURVEYING & MAPPING
PO Box 733 : 100 Bell Drive
Ketchum, Idaho 83340
208-726-9512 : Facsimile 208-726-9514

**Description for
Parcel 1**

A parcel of land being a portion of 10th Street and a portion of the alley of Block 94, Ketchum Townsite, recorded as Instrument No. 302967, records of Blaine County, Idaho, situated in Section 18, Township 4 North, Range 18 East of the Boise Meridian, City of Ketchum, Blaine County, Idaho and being more particularly described as follows:

Commencing at a found Brass Cap, (CP&F No. 551703) which marks which marks the northwest corner of Section 18, from which a found Brass Cap, which marks the centerline intersection of 5th Street and Spruce Avenue, Ketchum Townsite, bears South 44°35'45" East, 1650.35 feet;

Thence South 08°43'50" East, 27.12 feet to the northerly right-of-way line of 10th Street, said point being the POINT OF BEGINNING;

Thence along the northerly right-of-way line of 10th Street, North 45°36'07" East, 54.95 feet;

Thence leaving the northerly right-of-way line of 10th Street, South 01°08'30" East, 82.38 feet to the northerly boundary of Lot 8, Block 94, Ketchum Townsite;

Thence along the northerly and westerly boundaries of Lot 8, Block 94, Ketchum Townsite the following two courses and distances:

South 45°36'07" West, 14.51 feet;

South 44°23'13" East, 4.86 feet,

Thence leaving the westerly boundary of Lot 8, Block 94, Ketchum Townsite, South 26°38'57" West, 31.72 feet to the easterly boundary of Lot 4, Block 94, Ketchum Townsite;

Thence along the easterly and northerly boundaries of Lot 4, Block 94, Ketchum Townsite the following two courses and distances:

North 44°23'13" West, 15.16 feet;

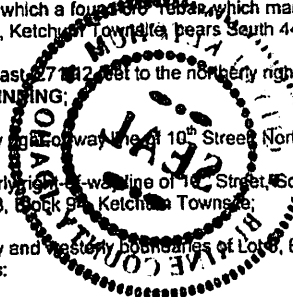
South 45°36'07" West, 20.89 feet,

Thence leaving the northerly boundary of Lot 4, Block 94, Ketchum Townsite, North 03°42'45" East, 89.86 feet to the POINT OF BEGINNING;

Said parcel contains 3,910 square feet, more or less

See exhibit map attached hereto and made a part of.

End Description



Benchmark Associates, P.A.

ENGINEERING, PLANNING, SURVEYING & MAPPING
PO Box 733 : 100 Bell Drive
Ketchum, Idaho 83340
208-726-9512 : Facsimile 208-726-9514

Description for Parcel 2

A parcel of land being a portion of 10th Street and a portion of the Walnut Avenue, Ketchum Townsite, recorded as Instrument No. 302967, records of Blaine County, Idaho, situated in Section 13, Township 4 North, Range 17 East of the Boise Meridian, City of Ketchum, Blaine County, Idaho and being more particularly described as follows:

Commencing at a found Brass Cap, (CP&F No. 551703) which marks which marks the northeast corner of Section 13, from which a found 5/8" rebar, which marks the centerline intersection of 5th Street and Spruce Avenue, Ketchum Townsite, bears South 44°35'45" East, 1650.35 feet;

Thence South 20°43'19" West, 523.53 feet, said point being the **POINT OF BEGINNING**;

Thence South 89°58'31" East, 141.24 feet to a found 5/8" rebar,

Thence North 44°25'26" West, 38.86 feet;

Thence North 45°36'07" East, 20.00 feet to the west corner of Block 94, Ketchum Townsite;

Thence along the westerly boundary of Block 94, Ketchum Townsite, South 44°25'26" East, 77.53 feet;

Thence leaving the westerly boundary of Block 94, South 89°41'29" West, 111.43 feet along the extension of the northerly boundary of the amended Lot 1AA, Block 50, Ketchum Townsite recorded as Instrument No. 599746, records of Blaine County, Idaho, to a found 5/8" rebar, PLS 11779;

Thence along of the northerly boundary of the amended Lot 1AA, Block 50, South 89°41'29" West, 88.21 feet, to a found 1/2" rebar,

Thence leaving the northerly boundary amended Lot 1AA, Block 50, North 45°36'07" East, 21.08 feet to the **POINT OF BEGINNING**;

Said parcel contains 3,575 square feet, more or less

See exhibit map attached hereto and made a part of.

End Description

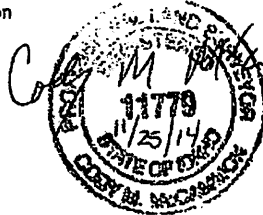


EXHIBIT MAP PARCEL 1

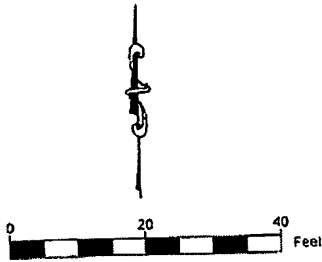
LOCATED WITHIN
SECTION 18, TOWNSHIP 4 NORTH, RANGE 18 EAST, B.M.,
CITY OF KETCHUM, BLAINE COUNTY, IDAHO

FOUND BRASS CAP
NW COR. SECTION 18
BLAINE COUNTY
G.I.S. CONTROL (CEMETERY)
CP&F NO. 551703

FOUND 5/8" REBAR
NO CAP
BLAINE COUNTY
G.I.S. CONTROL (K5TH-SPRUCE)

KETCHUM
CEMETERY

10TH STREET
(60' R.O.W.)



KETCHUM
CEMETERY

POINT OF
BEGINNING
PARCEL 1

±3,910 SQ. FT.

LOT 8
BLOCK 94

Line Table		
Line	Direction	Length
L1	S45° 36' 07"W	14.51'
L2	S44° 23' 13"E	4.86'
L3	N44° 23' 13"W	15.16'
L4	S45° 36' 07"W	20.89'

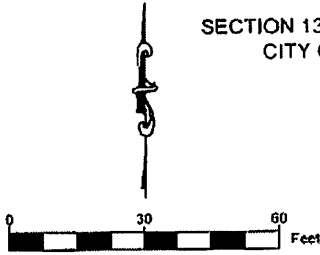


LOT 4
BLOCK 94

ALLEY
BLOCK 94
(30' R.O.W.)

EXHIBIT MAP PARCEL 2

LOCATED WITHIN
SECTION 13, TOWNSHIP 4 NORTH, RANGE 17 EAST, B.M.,
CITY OF KETCHUM, BLAINE COUNTY, IDAHO



Line Table		
Line	Direction	Length
L5	N44° 25' 26"W	38.86'
L6	N45° 36' 07"E	20.00'
L7	N45° 36' 07"E	21.08'

