

ORDINANCE NO. 161

AN ORDINANCE VACATING THE FOLLOWING PORTION OF A PROPOSED ALLEYWAY LOCATED WITHIN THE CITY OF PECK, COUNTY OF NEZ PERCE, STATE OF IDAHO TO THE ABUTTING PROPERTY OWNERS; DIRECTING THE CITY CLERK TO CAUSE A CERTIFIED COPY OF THIS ORDINANCE TO BE RECORDED AT THE OFFICE OF THE RECORDER OF NEZ PERCE COUNTY, STATE OF IDAHO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owners of the real property abutting and adjacent to the alleyway described in Section 1 below have petitioned the City Council to vacate said alleyway, and;

WHEREAS, a Public Hearing was held on said petition on June 10, 2010, and a written notice of said Public Hearing containing a description of the property to be vacated and the date, time and location of the Public Hearing was given by certified mail with return receipt at least ten (10) days prior to the date of the Public Hearing to all property owners within 300 feet of the area described in the petition, and;

WHEREAS, the written notice containing the property description and the date, time and location was posted in three conspicuous places in said city and published once a week for two (2) consecutive weeks in the official newspaper of the City previous to the date of said Public Hearing, and;

WHEREAS, it is the determination of the Peck City Council that it is in the best interest of the City of Peck and its inhabitants and of the property owners abutting said alleyway particularly described in Section 1 below, that said alleyway be vacated as a public street in the City of Peck.

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

Section 1: The portion of alleyway located in the City of Peck, Nez Perce County, Idaho, particularly described as follows:

- 1) A proposed alleyway located between and abutting Lot 4 & Lot 5 and Lot 9 & Lot 10 of block 39 in the City of Peck, Idaho;

Be hereby vacated as a public street of the City of Peck, Idaho, and said alleyway shall revert to the owners of the adjacent real property.

Section 2: That the City Clerk be and is hereby authorized and directed to cause a certified copy of this ordinance to be recorded at the office of the recorder of Nez Perce County, Idaho.

Section 3: That the Mayor and City Clerk be and are hereby authorized to execute and deliver, upon request therefore, a quitclaim deed in and to the City's interest in said alleyway to the abutting real property owners, as their respective rights may appear.

Section 4: This ordinance shall take effect and be in force from and after its passage, approval and publication.

CITY OF PECK: July 8, 2010.

CITY OF PECK, IDAHO

By:

Nancy J. Greene
Nancy J. Greene
Mayor

ATTEST:

Tami K. Firzlaff
Tami K. Firzlaff
City Clerk

INST. NO. 782470

FILED FOR RECORD
FEE N/C REC. BY City of Peck

2010 JUL 22 PM 1 46

PATTY O. WEEKS
RECORDER, NEZ PERCE CO. ID.

BY Byone DEPUTY

PO BOX 105
Peck, ID
83545-0105

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date: 07/15/2010 INVOICE NO. 20730
Account No. 745750
Description 20730 ORDINANCE
Times 1 Lines 106
Tab. lines
\$ 84.80
PO# Ord 161

LEGAL ADVERTISING
INVOICE

Sold To: CITY OF PECK
PO BOX 105
PECK ID 83545

NOTICE: This is a invoice of Purchase made by you. Statement will be rendered the first of the month
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

Yvette Crosby, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 105 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 20730 ORDINANCE attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune,

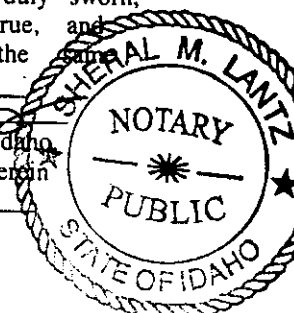
1 time(s). Publication being on 07/15, or once a for 1 consecutive the first publication thereof being on the 07/15/2010, and the last publication thereof being on the 07/15/2010, and said 20730 ORDINANCE was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Yvette Crosby
State of Idaho

S.S.
County of Nez Perce

On this 15th day of July in the year of 2010, before me, a Notary Public, personally appeared Yvette Crosby, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Sheryl M. Lantz
Notary Public in and for the State of Idaho
residing at Lewiston, therein
Commission Expires 6/04/15



20730
ORDINANCE NO. 161
AN ORDINANCE VACATING THE FOLLOWING PORTION OF A PROPOSED ALLEYWAY LOCATED WITHIN THE CITY OF PECK, COUNTY OF NEZ PERCE, STATE OF IDAHO TO THE ABUTTING PROPERTY OWNERS; DIRECTING THE CITY CLERK TO CAUSE A CERTIFIED COPY OF THIS ORDINANCE TO BE RECORDED AT THE OFFICE OF THE RECORDER OF NEZ PERCE COUNTY, STATE OF IDAHO; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the owners of the real property abutting and adjacent to the alleyway described in Section 1 below have petitioned the City Council to vacate said alleyway, and;

WHEREAS, a Public Hearing was held on said petition on June 10, 2010, and a written notice of said Public Hearing containing a description of the property to be vacated and the date, time and location of the Public Hearing was given by certified mail with return receipt at least ten (10) days prior to the date of the Public Hearing to all property owners within 300 feet of the area described in the petition; and;

WHEREAS, the written notice containing the property description and the date, time and location was posted in three conspicuous places in said city and published once a week for two (2) consecutive weeks in the official newspaper of the City previous to the date of said Public Hearing; and;

WHEREAS, it is the determination of the Peck City Council that it is in the best interest of the City of Peck and its inhabitants and of the property owners abutting said alleyway particularly described in Section 1 below, that said alleyway be vacated as a public street in the City of Peck;

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

Instrument # 819558

NEZ PERCE COUNTY

2-13-2014 09:55:37 No. of Pages: 2

Recorded for : CITY OF PECK *

PATTY WEEKS

Fee: 0.00

Ex-Officio Recorder Deputy

Index to: WRNTY/QCD

Kathleen

QUITCLAIM DEED

THIS INDENTURE WITNESSETH: That as set forth in Ordinance No. 161 of the City of Peck, Idaho, recorded as microfilm no. 782470, records of Nez Perce County, Idaho, the **CITY OF PECK, NEZ PERCE COUNTY, IDAHO**, a municipal corporation, Granter, does hereby remise, release and forever quit claim unto Joseph L. Smith and Amber L. Smith, husband and wife of 415 Waskey Street, P.O. Box 8, Peck, Idaho, grantees, the following described premises in Nez Perce County, State of Idaho, to wit:

- 1) A proposed alleyway located between and abutting Lot 4 & Lot 5 and Lot 9 & Lot 10 of block 39 in the City of Peck, Idaho;

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the Grantee, their heirs and assigns forever.

DATED this 11 day of February, 2014.

ATTEST:

Nancy J. Greene
Nancy J. Greene
Mayor, City of Peck

Tami Firzloff
Tami Firzloff
City Clerk, City of Peck

*

CITY OF PECK
PO BOX 105
PECK, ID 83545-0105

STATE OF IDAHO)
) ss.
County of Nez Perce)

On this 11th day of February, 2014, before me, the undersigned, a Notary Public in and for the State of Idaho, Personally appeared Nancy J. Greene and Tami Firzlaff, the Mayor and City Clerk respectively of the City of Peck, Idaho, known personally to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Charles L. Brooks

Notary Public in and for the State of Idaho, residing at Peck, therein.

My Commission expires: 2-25-2014

