

TRIBUNE PUBLISHING COMPANY, INC

The Lewiston Tribune
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Date:	<u>04/01/2022</u>	INVOICE NO.	<u>168165</u>
Account No.	<u>745750</u>		
Description	<u>168165 ORDINANC</u>		
Times	<u>1</u>	Lines	<u>104</u>
		Tab. lines	
		\$	<u>249.60</u>

**LEGAL ADVERTISING
 INVOICE**

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

PO# Royer, Sandra

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

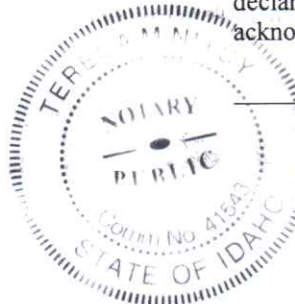
S KELLAM , being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho and under and by virtue of the laws of the State of Washington, publishers of the Lewiston Tribune, a news-paper 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 168165 ORDINANC attached hereto and which is made a part of this affidavit was published in the said Lewiston Tribune,

1 time(s). Publication being on 04/01 , or once a day for 1 consecutive day , the first publication thereof being on the 04/01/2022 , and the last publication thereof being on the 04/01/2022 , and said 168165 ORDINANC 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.

Skellam

State of Idaho
 S.S.
 County of Nez Perce

On this 26 day of Apr in the year of 2022 , before me, a Notary Public, personally appeared S KELLAM , 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.



Notary Public in and for the State of Idaho,
 Residing at Lewiston, therein
 Commission Expires 1/23/28

AN ORDINANCE OF THE CITY OF PECK TO VACATE A PORTION OF A PUBLIC RIGHT-OF-WAY CONSISTING OF A PORTION OF BLOCK 64 AND KNOWN AS NORTH MARGUERITE STREET TO TIMOTHY J. CRAIG

WHEREAS, Timothy J. Craig has requested that the City vacate a portion of the City's right of way, adjoining Block 64, Lots 1 through 5 and platted as North Marguerite Street. This right of way adjoins property currently owned by Timothy J. Craig, and unmarried man and Benjie and Vickie Gockley, husband and wife; and

WHEREAS, the City Council, at its regular meeting on January 20, 2021, considered Mr. Craig's request and his written application for a right-of-way vacation; and

WHEREAS, a public hearing was held in this matter on October 6, 2021;

WHEREAS, the City has adopted Findings of Fact, Conclusions of Law and Decision, dated March 16th, 2022.

NOW THEREFORE, be it ordained by and the Mayor and Council for the City of Peck, Nez Perce County, State of Idaho as follows:

SECTION 1. The Peck City Council hereby VACATES that portion of North Marguerite Street, a public right of way according to the recorded Plot of the Village (town) of Peck and recorded in the office of the Nez Perce County Recorder on April 12, 1889; such portion of Marguerite Street lying Southwest of Howard Street, adjoining Block 64, Lots 1 through 5 and further described in Exhibit A-1 and Exhibit A-2, attached hereto and incorporated fully herein by reference; and

SECTION 2. That portion of right-of-way shall revert to Timothy J. Craig, an owner of the adjacent real property; and

SECTION 3. This vacation is subject to and the City retains an easement and any claim of easement in the former right-of-way for utilities, any utility franchise, and for water, sewer, telephone, ditches, canals and appurtenances, gas, underground facilities or electrical or similar lines and appurtenances services presently existing. "Underground facility" means any item buried or placed below ground for use in connection with the storage or conveyance of water (unless being delivered primarily for irrigation), sewage, electronic, telephonic or telegraphic communications, cable television, electric energy, petroleum products, gas, gaseous vapors, hazardous liquids, or other substances and including, but not limited to, pipes, sewers, conduits, cables, valves, lines, wires, manholes, attachments, and those parts of poles or anchors below ground.

SECTION 4. That Timothy J. Craig shall pay the cost of surveys, publication, any title company expense and legal description preparation costs and such attorney fees incurred by the City in the vacation.

SECTION 5. This ordinance shall be in full force and effect from and after passage, approval, and publication.

DATED this 16th day of March, 2022.

CITY OF PECK:

/s/ Nancy J. Greene
Nancy J. Greene, Mayor

ATTEST:

/s/ Sandra K. Royer
Sandra K. Royer, City Clerk-Treasurer

EXHIBIT A
(Metes and Bounds Legal Descriptions)
Property Description

for
Right of Way Vacation
East of Lot 1 and the North 15 feet of Lot 2
Tim Craig

A part of the North Marguerite Street right of way lying East of Lot 1 and the North 15 feet of Lot 2 of Block 64, in the Village of Peck, according to the recorded plat thereof, which is located in the Southwest ¼ of Section 11, Township 36 North, Range 1 West, Boise Meridian, Nez Perce County, State of Idaho, said right of way being more particularly described as follows: **BEGINNING** at a set 5/8" diameter x 30" long rebar with a PLS 9165 cap marking the Northeast corner of Block 64 of the Village of Peck; thence North 65°02'08" East, along the project bearing of the North boundary of Block 64, a distance of 55.27 feet to a set 5/8" diameter x 30" long rebar with a PLS 9165 cap marking the point of intersection with the East boundary of the plat of the Village of Peck; thence South 00°16'44" East, along the East boundary of the plat of the Village of Peck, a distance of 44.02 feet to a set 5/8" diameter x 30" long rebar with a PLS 9165 cap; thence South 65°02'08" West, a distance of 36.89 feet, to a point at the Southeast corner of the North 15 feet of said Lot 2; thence North 24°57'54" West, along the East boundary of the North 15 feet of said Lot 2 and the East boundary of Lot 1, a distance of 40.00 feet, to a set 5/8" diameter x 30" long rebar with a PLS 9165 cap, marking the Northeast corner of Block 64 of the Village of Peck and the **POINT OF BEGINNING**.

Subject to any easements, recorded, unrecorded, written or unwritten.
Containing 1843 square feet, more or less.

EXHIBIT A-1
(Metes and Bounds Legal Descriptions)
Property Description
for
Right of Way Vacation
East of part of Lot 2, Lots 3 and 4 and Part of Lot 5
Tim Craig

A part of the North Marguerite Street right of way lying East of part of Lot 2, Lots 3 and 4, and part of Lot 5 of Block 64, in the Village of Peck, according to the recorded plat thereof, which is located in the Southwest ¼ of Section 11, Township 36 North, Range 1 West, Boise Meridian, Nez Perce County, State of Idaho, said right of way being more particularly described as follows:

Commencing at a set 5/8" diameter x 30" long rebar with a PLS 9165 cap marking the Northeast corner of Block 64 of the Village of Peck; thence North 65°02'08" East, along the projected bearing of the North boundary of Block 64, a distance of 55.27 feet to a set 5/8" diameter x 30" long rebar with a PLS 9165 cap marking the point of intersection with the East boundary of the plat of the Village of Peck; thence South 00°16'44" East, along the East boundary of the plat of the Village of Peck, a distance of 44.02 feet to a set 5/8" diameter x 30" long rebar with a PLS 9165 cap marking the **TRUE POINT OF BEGINNING**; thence South 00°16'44" East, along the East boundary of the plat of the Village of Peck, a distance of 88.32 feet to a set 5/8" diameter x 30" long rebar with a PLS 9165 cap; thence North 24°57'54" West, along the East boundary of part of Lot 5 and Lots 4 and 3 and part of Lot 2, a distance of 80.25 feet to the Southeast corner of the North 15 feet of said Lot 2; thence North 65°02'08" East, a distance of 36.89 feet, to the point of intersection with the East boundary of the plat of the Village of Peck, to a set 5/8" diameter x 30" long rebar with a PLS 9165 cap marking the **TRUE POINT OF BEGINNING**.
Subject to any easements, recorded, unrecorded, written or unwritten.
Containing 1480 square feet, more or less.