

ORDINANCE NO. 89-1

AN ORDINANCE OF CARIBOU COUNTY, IDAHO, ABANDONING THE RIGHT OF WAY COMMONLY REFERRED TO AS "STOCK TRAIL" AND CAUSING THE SAME TO REVERT TO LAND OWNERS ADJOINING SAID PROPERTY; DISCLAIMING ANY WARRANTY OR GUARANTY OF TITLE; AND ESTABLISHING AN EFFECTIVE DATE FOR THE PASSAGE, APPROVAL, AND PUBLICATION OF THIS ORDINANCE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF CARIBOU COUNTY, IDAHO, AS FOLLOWS:

Section 1: The Board of County Commissioners of Caribou County, Idaho, desire to abandon that right of way located on the southerly portion of the City of Soda Springs, Idaho, which right of way has commonly been used as a stock trail for the trailing of livestock and the diversion of the same around the city. That the use of said stock trail is no longer required, and the stock trail constitutes a nuisance and hazard to the public, and the same should be abandoned and revert to the property owners adjoining said stock trail for proper care and maintenance.

Section 2: A public hearing was held before the Board of County Commissioners of Caribou County, Idaho, on the 15th day of September, 1988, at 7:00 p.m. in the District Court Room of the Caribou County Courthouse located in Soda Springs, Caribou County, Idaho. No objections to the closure of said stock trail were received at said hearing, and the Board of County Commissioners did determine that it would be in the best interests of the county that said stock trail be closed. The Board of County Commissioners further directed that A. A. Hudson and Associates prepare a plat of the stock trail for closure, and a listing of the adjoining property owners or property owners who owned property encompassing the trail, for purposes of preparing an ordinance of abandonment. Said plat was received by the county December 7, 1988, and a copy of the same is attached hereto and made a part of this ordinance for reference purposes.

Section 3: That portion of the Caribou County stock trail located in the SE 1/4 SW 1/4, Section 12, Township 9 South, Range 41 East, B.M., is hereby abandoned, and shall revert to the current owner thereof, the records of Caribou County, Idaho, reflecting that to be one Clyde Anderson.

Section 4: That portion of the stock trail located in the NE 1/4 NW 1/4, Section 13, Township 9 South, Range 41 East, B.M. is hereby abandoned, and the same shall revert to the current owner thereof, the records of Caribou County,

Idaho, reflecting that to be one Clyde Anderson.

Section 5: That portion of the stock trail located in the NW 1/4 NE 1/4, Section 13, Township 9 South, Range 41 East, B.M. is hereby abandoned, and the same shall revert to the current owner thereof, the records of Caribou County, Idaho, reflecting that to be the Utah Power and Light Co.

Section 6: That portion of the stock trail located in the NW 1/4 NE 1/4 NE 1/4, Section 13, Township 9 South, Range 41 East, B.M. as located upon that property as described in Instrument #78153 as recorded in the office of the County Recorder of Caribou County, Idaho, is abandoned and the same shall revert to the current owner thereof, the records of Caribou County, Idaho, reflecting that to be the City of Soda Springs, Idaho.

Section 7: The remainder of the stock trail located in the NW 1/4 NE 1/4 NE 1/4, Section 13, Township 9 South, Range 41 East, B.M. shall be abandoned and shall revert to the current owner thereof, the records of Caribou County, Idaho, reflecting that to be Alvin and Joan Dunn.

Section 8: That portion of the stock trail located in the NE 1/4 NE 1/4 NE 1/4, and the SE 1/4 NE 1/4 NE 1/4 of Section 13, Township 9 South, Range 41 East, B.M. shall be abandoned and shall revert to the current owner thereof, the records of Caribou County, Idaho, reflecting that to be Alvin and Joan Dunn.

Section 9: That portion of the stock trail located in the SW 1/4 NE 1/4 NE 1/4, Section 13, Township 9 South, Range 41 East, B.M. shall be abandoned, and shall revert to the current owner thereof, the records of Caribou County, Idaho, reflecting that to be the Utah Power and Light Co.

Section 10: That portion of the stock trail located in the N 1/2 NW 1/4, Section 18, Township 9 South, Range 42 East, B.M., being located west of the Bailey Creek Road, shall be abandoned, and the same shall revert to the current owners thereof, the records of Caribou County, Idaho, reflecting that to be Stanford and Edith Steele.

Section 11: That the South 1/2 portion of the stock trail lying immediately east of the Bailey Creek Road and located in Lot 4, Block 3, City of Soda Springs, Idaho, lying adjacent to the stock trail in NE 1/4, NW 1/4, Section 18, Township 9 South, Range 42 East, B.M. shall be abandoned and shall revert to the current owner thereof, the records of Caribou County, Idaho, reflecting that to be one John H. Call.

Section 12: That the South 1/2 portion of the stock trail along the westerly 372.3 feet of the NW 1/4 NE 1/4, Section 18, Township 9 South, Range 42 East, B.M. shall be abandoned, and shall revert to the current owner thereof, said current owner being reflected in the records of Caribou County, Idaho, as being Val Steele and Myrle Steele, husband and wife, of Soda Springs, Idaho, subject to a home being located upon said property believed to belong to Larry and Sandra Hildreth, husband and wife, of Soda Springs, Idaho, whose interest in said property is unknown.

Section 13: That the South 1/2 portion of the stock trail, along the remainder of the NW 1/4 NE 1/4, Section 18, Township 9 South, Range 42 East, B.M. shall be abandoned, and shall revert to the current owner thereof, the records of Caribou County, Idaho, reflecting that to be Val S. and Alice S. Gibson.

Section 14: That portion of the stock trail located south of the section line located in the NE 1/4 NE 1/4, Section 18, Township 9 South, Range 42 East, B.M. shall be abandoned, and shall revert to the current owner thereof, the records of Caribou County, Idaho, reflecting that to be Val S. and Alice S. Gibson.

Section 15: That the North 1/2 of the stock trail located in Blocks 2 and 3, City of Soda Springs, Idaho, being located in the SW 1/4 SE 1/4, Section 7, Township 9 South, Range 42 East, B.M. shall be abandoned, and shall revert to the current owners thereof, the records of Caribou County, Idaho, reflecting that to be Virgil J. and Donna Mae Perry.

Section 16: That portion of the stock trail located upon property as described in instrument No. 53923, as recorded in the office of the County Recorder of Caribou County, Idaho, and located in the SE 1/4 SE 1/4, Section 7, Township 9 South, Range 42 East, B.M. shall be abandoned, and shall revert to the current owners thereof, the records of Caribou County, Idaho, reflecting that to be Jerry W. and Carol P. Steffenson.

Section 17: The remainder of the stock trail located north of the section line in the SE 1/4 SE 1/4, Section 7, Township 9 South, Range 42 East, B.M. shall be abandoned, and shall revert to the current owners thereof, the records of Caribou County, Idaho, reflecting that to be Donald L. and Dorma C. Monroe.

Section 18: Neither the County of Caribou, State of Idaho, nor any of its officers, agents, or employees, shall warrant or defend title to said property as abandoned or as the same has reverted to the current property owners thereof, nor shall they guarantee any quiet or peaceable possession of the same in the parties to whom said property reverts, nor shall they defend the same against any other claims of any nature whatsoever as against said property, it being intended that this is a strict abandonment of the stock trail, and a quitclaim of the County's interest in said stock trail to the reversioners.

Section 19: This ordinance shall be in full force and effect, from and after its passage, approval, and publication according to law.

PASSED AND APPROVED this 26 day of June, 1989, by the Board of County Commissioners of Caribou County, Idaho.

BOARD OF COUNTY  
COMMISSIONERS OF CARIBOU  
COUNTY, IDAHO

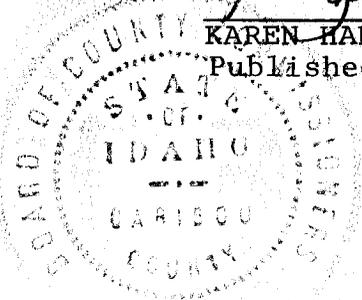
ATTEST:

*[Handwritten signature of Karen Hansen]*

KAREN HANSEN, Chief Deputy Clerk

Published: Caribou County Sun  
June 29, 1989

By *[Handwritten signature of Ariel Larson]*  
ARIEL LARSON, Chairman



STATE OF IDAHO } **147823**  
County of Caribou }

I hereby certify that this instrument was filed at the request of Caribou County at 4:30 o'clock P in this 27th day of April, 1994 in my office and duly

recorded in Microfilm Records \_\_\_\_\_  
Recorder: Edie Izatt  
*[Handwritten signature of Denise Husley]*  
Ex-Officio Recorder Deputy *[Handwritten signature]*