

RESOLUTION NUMBER 05-040

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KETCHUM, IDAHO, AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED TRANSFERRING ANY RIGHT, TITLE AND INTEREST THE CITY MIGHT HAVE IN AND TO A VACATED PORTION OF EIGHTH STREET FROM THE CITY OF KETCHUM TO FRENCHMAN'S PLACE, LLC.

WHEREAS, in 1956, the City adopted Ordinance No. 29, vacating a portion of Eighth Street between Main Street and the South Westerly boundary of U.S. Highway 93; and

WHEREAS, under the applicable law, when a street was so vacated, ownership reverted to the abutting property owners; and

WHEREAS, Frenchman's Place, LLC, is the successor in interest to the owners of a certain vacated portion of Eighth Street, more particularly described on Exhibit A, attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, in 1969, the City adopted Ordinance No. 129, repealing Ordinance No. 29; and

WHEREAS, such repeal did not cause the ownership of the Property to revert to the City; and

WHEREAS, Frenchman's Place, LLC, has requested that the City execute and deliver to it a Quit Claim Deed conveying any right, title and interest that the City might have in the Property to Frenchman's Place, LLC.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Ketchum, Idaho that the City Council hereby authorizes the Mayor to execute a Quit Claim Deed transferring any right, title and interest the City might have in and to a vacated portion of Eighth Street from the City of Ketchum to Frenchman's Place, LLC.

PASSED BY THE CITY COUNCIL and approved by the Mayor this 2nd day of May, 2005.

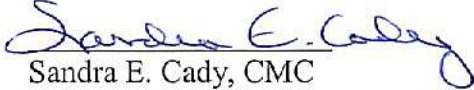
CITY OF KETCHUM,
An Idaho Municipal Corporation

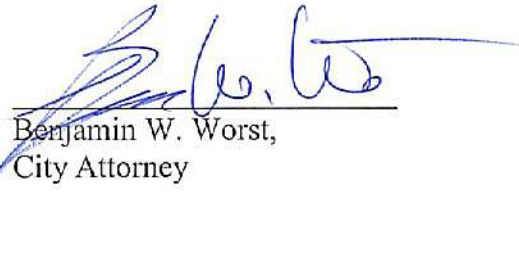


EDWARD SIMON, Mayor

ATTEST:

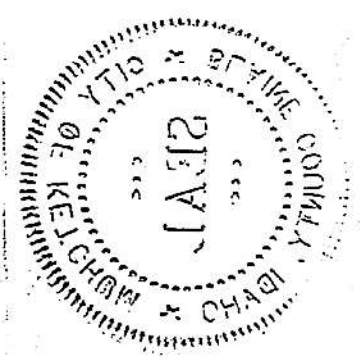
APPROVED AS TO FORM
AND CONTENT:


Sandra E. Cady, CMC
Treasurer/Clerk


Benjamin W. Worst,
City Attorney



[Faint, illegible handwritten text]



Benchmark Associates, P.A.

Engineering, Planning, Surveying, Mapping
100 Bell Drive
PO Box 733,
Ketchum, Idaho 83340
Tel: 208 726-9512 Fax: 208 726-9514

Letter of Transmittal

DATE: August 19, 2004

TO: Ben Worst, City Attorney
Harold Moniz, P & Z Administrator

FROM: Garth McClure

RE: Frenchman's Place, Eighth Street Vacation Quitclaim Deed

The following items are included in this transmittal:

Date	Copies	Description
	1	Quitclaim Deed

These are transmitted:

For your information For action specified below For review and comment For your use As requested

Transmitted Via:

Hand Delivery Courier Regular Mail Facsimile

Remarks:

Please find enclosed a Quitclaim Deed for the vacation of 8th Street.

Thank you

received
8/19/04

Order No. 54239

QUITCLAIM DEED

FOR VALUE RECEIVED

The City of Ketchum

do hereby CONVEY, RELEASE, REMISE and FOREVER quit claim unto

FRENCHMAN'S PLACE, LLC, an Idaho Limited Liability Company

whose address is:

the following described premises situated in Blaine County, Idaho, to wit:

See Attached Exhibit 'A'

together with their appurtenances.

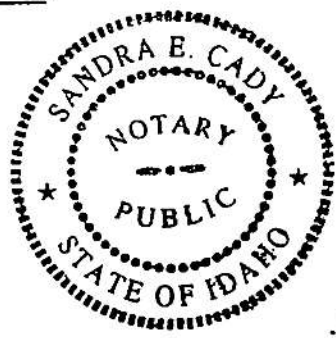
Dated: ~~August 2, 2004~~ May 10, 2004

Edward Simon, Mayor

State of Idaho }
 }ss.
County of Blaine }

On this 10th day of ~~August~~ ^{May}, in the year ~~2004~~ ²⁰⁰⁵, before me, the undersigned, personally appeared Edward Simon, known or identified to me to be the person(s) whose name is/are subscribed to the within instrument as the Mayor of the The City of Ketchum, and acknowledged to me that he/she/they executed the same as such Mayor.

WITNESS my hand and official seal.
Sandra E. Cady
Notary Public Sandra E. Cady
Commission Expires: 11-20-07



Benchmark Associates, P.A.

ENGINEERING, PLANNING, SURVEYING & MAPPING

P.O. Box 733 • 100 Bell Drive

Ketchum, Idaho 83340

208/726-9512 • Fax 208/726-9514 • www.bma5b.com

LEGAL DESCRIPTION

EIGHTH AVENUE adjoining the:
FRENCHMAN'S PLACE PROPERTY
KETCHUM, BLAINE COUNTY, IDAHO

TOWNSHIP 4 NORTH, RANGE 17 EAST, BOISE MERIDIAN
SECTION 13, Ketchum, Blaine County, Idaho

Within the Official Map of the VILLAGE of KETCHUM, according to the official plat thereof, recorded as Instrument No. 302967, records of Blaine County, Idaho, that portion of Eighth Street described as follows:

EIGHTH STREET: That portion of Eighth Street lying westerly of State Highway 75, southeasterly of Lot 5 of Block 9 and northwesterly of the centerline of said Eighth Street within said Village of Ketchum, said portion being more particularly described by metes and bounds as follows:

Commencing at the centerline intersection of Eighth Street and Main Street (aka: Warm Springs Road), according to said official plat; thence $N45^{\circ}19'08''E$, 290.47 feet along the centerline of said Eighth Street to the centerline intersection of Eighth Street and Leadville Avenue; thence $S45^{\circ}19'08''W$, 110.74 feet along said centerline to a point on the westerly boundary of State Highway 75, said point being the True Point off Beginning.

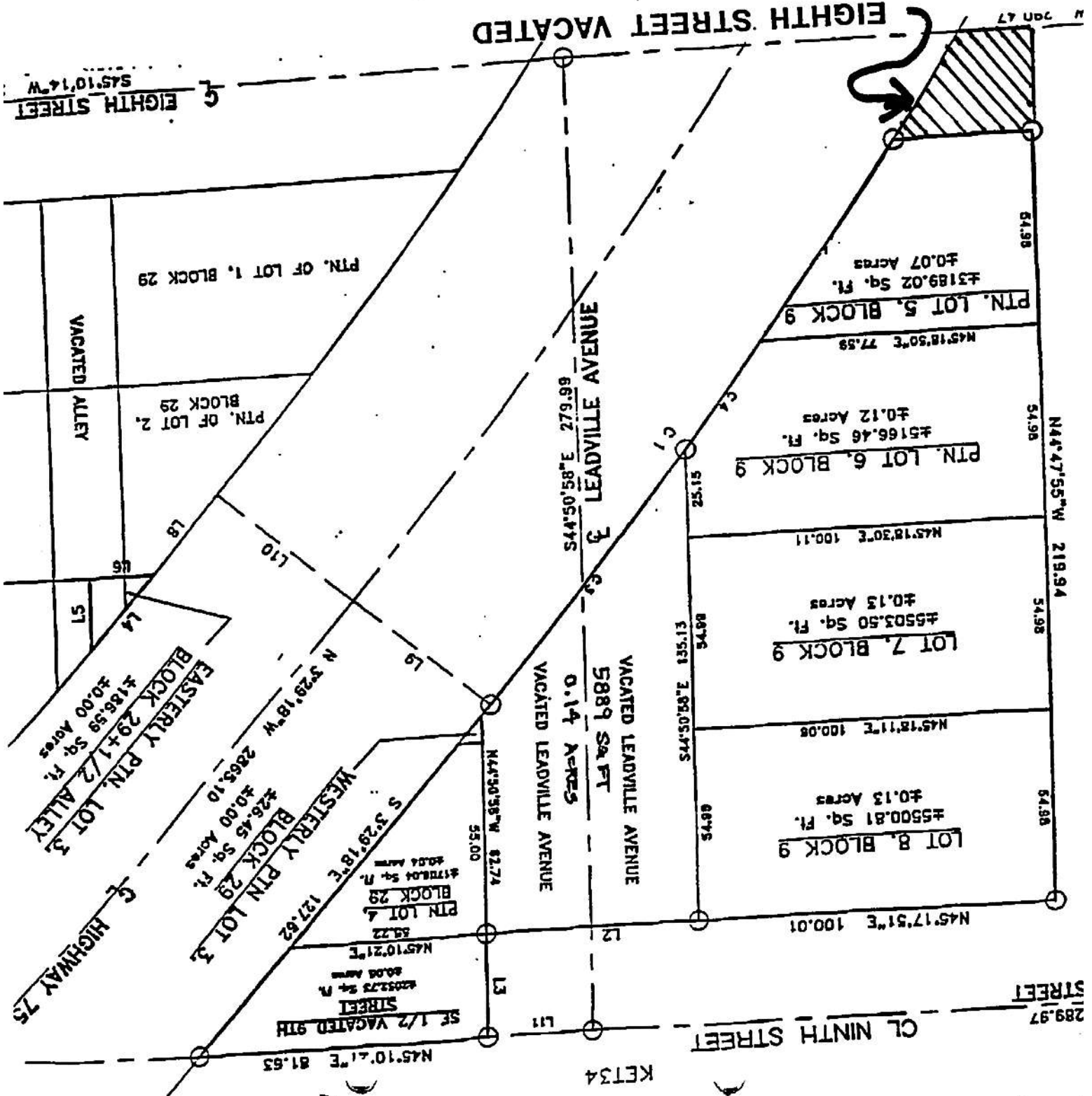
Thence continuing along said centerline $S45^{\circ}19'08''W$, 19.49 feet;
thence $N44^{\circ}47'55''W$, 30.00 feet to the southerly corner of said Lot 5, Block 9;
thence $N45^{\circ}19'09''E$, 39.02 feet along the southeasterly boundary of said Lot 5 to a point on the westerly boundary of State Highway 75;
thence following said westerly boundary 35.76 feet along a curve to the right, said curve having a central angle of $01^{\circ}22'56''$, a radius of 1,482.39 feet and a chord length of 35.76 feet that bears $S11^{\circ}42'13''E$ to the True Point of Beginning.

Jer/2004/04067EighthSt

KETCHUM, IDAHO

EIGHTH STREET VACATED

EIGHTH STREET
S45°10'14"W



TX 4808

103

This sketch is made solely for the purpose of assisting in locating the premises. The Company assumes no liability for alleged loss or damage which may result from reliance on this map.

