NO. 88-83

RESOLUTION AND ORDER VACATING AN ALLEY IN BLOCK B WITHIN THE TOWN OF LAMOILLE

WHEREAS, the Board of County Commissioners of the County of Elko, State of Nevada, upon petition of property owners whose property abuts subject alley, unanimously passed a Resolution at a regular meeting of said Board held on the 6th day of October, 1983, to post and publish a notice of its intention to vacate the hereinafter described alley in Block B with the Town of Lamoille, County of Elko, State of Nevada, as said alley now exists:

> The alley in Block B that abuts the West boundary of Lot 21 and the East boundary of Lots 22 through 28 from the point of intersection with North Street to the point of intersection with the alley that intersects with First Street and Second Street within the Town of Lamoille.

and,

WHEREAS, said notice was duly posted and published all as required by law, as more fully appears from the Affidavit on file in the Clerk's Office of the County of Elko, and

WHEREAS, at the time and place set in said notice, to-wit: at the hour of 4:00 o'clock p.m. on the 9th day of November, 1983 in the meeting room of the Board of County Commissioners, Elko County Courthouse, Elko, Nevada, a hearing before said Board of County Commissioners was duly had, the Board having deemed that no person or persons would be materially injured thereby, and

WHEREAS, it appearing to the satisfaction of the said Board of County Commissioners that the vacation of the alley herein will not materially injure the public; and

4

THAT THE SAID PORTION of alley was not acquired by dedication from landowners whose property abuts the portion to be vacated, or their predecessors in interest;

NOW, THEREFORE upon motion duly made by Commissioner SMITH and seconded by Commissioner GIBBS, it is unanimously Resolved and Ordered:

I.

That conditioned on the payment of $2.50 per square foot for such property by the abutting landowners, the following described portion of alley in the Town of Lamoille, County of Elko, State of Nevada, be and the same hereby is vacated:

> The alley in Block B that abuts the West boundary of Lot 21 and the East boundary of Lots 22 through 28 from the point of intersection with North Street to the point of intersection with the alley that intersects with First Street and Second Street within the Town of Lamoille.

That the Engineering Services Office of Elko County shall calculate the square footage between lot lines as if extended to the middle of the alley, as it was before the vacation, and the edge of that existing alley and the middle of the vacated property that any abutting property owner agrees to purchase and prepare a legal description of such area;

III.

Upon payment to the Elko County Treasurer of the sum of $2.50 per square foot of the vacated property as calculated by the Elko County Engineering Services Office, by any landowner whose property abuts any of the vacated property all the right, title and interest of the County of Elko in and to the portions of the above-described alley shall pass to and be vested in the said

purchaser(s) and a quitclaim deed to that portion of the property purchased shall issue, and be executed by the Elko County Treasurer, to each respective purchaser, provided however that only persons or entities who own land in Block B, Town of Lamoille may purchase any of the vacated land and such landowner may purchase only portions of the vacated property which is contiguous to the real property which said individual or entity owned prior to the vacation and only such property as would be bounded by lot lines bounding the already owned property if extended to the center of said alley as it stood before vacation and from the side boundary of such alley to the middle of the alley as it was before vacation.

DATED, this 9th day of NOVEMBER, 1983.

BOARD OF ELKO COUNTY COMMISSIONERS
COUNTY OF ELKO, STATE OF NEVADA

ERNIE HALL, CHAIRMAN

WILLIAM B. GIBBS, MEMBER

ROY E. SMITH, MEMBER

ATTEST:

R.L. KANE, COUNTY CLERK

FE N/C 201410
FILED FOR RECORD
AT REQUEST OF
Elko Co. Manager
85 JAN 11 P 2: 39 INDEXED

RECORDED BK 483 PG 302
JERRY D. REYNOLDS
ELKO CO. RECORDER