

## NOTICE OF AUCTION

THE CITY OF HEYBURN COUNCIL will hold an Auction on Wednesday 12 February 2025, at the hour of 7:00 PM in the City Council Chambers located at 941 18<sup>th</sup> Street, Heyburn, Idaho, for sale of the following real property:

AUCTION pursuant to Idaho Code §50-1403 for the disposition of the City Tree Farm, RPH00000221070, located southwest of the Foxboro Subdivision, south of the Foxboro storage parcel, west of 533 Greenbrier Drive, Heyburn, Idaho (“Property”).

On 13 November 2024, the City declared its intent for disposition of the Property at auction with a minimum bid of \$21,531.68. The City held a public hearing on 8 January 2025 related to the sale of the sale property.

The parcel has the following legal description:

Part of the N1/2NE1/4 of Section 22 in Township 10 South, Range 23 East of the Boise Meridian, Minidoka County, State of Idaho.

Commencing at the NE corner of the NW1/4NE1/4 of section 22 in T.10 S., R. 23 E., B.M., said corner marked by a 5/8” rebar; Thence South 00°18’20” East along the east line of the NW1/4NE1/4 for a distance of 259.77 feet to a 5/8” rebar at the approximate centerline of the MID Lateral No. 434; Thence North 83°06’00” West along said approximate centerline for a distance of 141.27 feet to a 5/8” rebar; Thence South 62°13’00” West along said approximate centerline for a distance of 40.00 feet to a 5/8” rebar; Thence South 13°12’00” West along said approximate centerline for a distance of 52.00 feet to a 5/8” rebar; Thence South 12°21’00” East along said approximate centerline for a distance of 175.00 feet to a 5/8” rebar; Thence South 40°11’00” West along said approximate centerline for a distance of 262.23 feet to a 1/2” rebar which shall be the Point of Beginning;

Thence South 40°11’00” West along said approximate centerline for a distance of 148.82 feet to a 1/2” rebar;

Thence North 89°45’15” East for a distance of 305.29 feet to a 5/8” rebar;

Thence North 28°32’02” West along the SW line of the Foxboro Subdivision for a distance of 68.13 feet to a 1/2” rebar;

Thence South 89°45’15” West for a distance of 176.49 feet to a 1/2” rebar;

Thence North 00°14’45” West for a distance of 53.28 feet to the Point of Beginning.

The following terms apply to the Auction.

1. The minimum purchase price for the property is \$21,531.68 (“Reserve Amount”). The highest winning bid must be equal to or exceed the Reserve Amount. All bids are subject to acceptance by the City at the close of bidding.

2. The City owns the Property in fee simple and will transfer its interests in the Property by Quitclaim Deed to the successful bidder.

3. The Property will be sold “AS IS” subject to all existing reservations, easements, or claims of easement, rights of way, protective covenants, encumbrances, applicable zoning ordinances and building codes, laws and regulations, encroachments, overlaps, boundary line disputes, and all matters of any kind or nature, known or unknown, whether or not of public record.

4. At the close of auction, the successful bidder must execute a Purchase and Sale Agreement for the Property with the City. An example of the agreement can be reviewed at City Hall. The total amount due and owing on the agreement will be the sum of the successful bid, plus an administrative fee of three percent (3%) of the successful bid.

5. Closing of the transaction, including, but not limited to, recordation and closing of escrow, if any, must be completed no more than sixty (60) days following the close of the auction.

6. If the successful bidder fails to pay any or all amounts due and owing, as required, the following will occur: the Purchase Agreement may be terminated, or the City may pursue other remedies as set forth in the agreement; and, the City, in its sole discretion, will be entitled to immediately place the Property for re-auction so solicit the next higher bidder to complete the sale.

7. The City may cancel the auction for the property at any time prior to acceptance of a successful bid.

8. Additional information regarding this auction or the Property, maps, reports, forms and sample documents, are available for review and inspection at the City Clerk's office at City Hall, Heyburn, Idaho or by request by e-mail to [alangley@heyburncity.org](mailto:alangley@heyburncity.org).

City Hall council chambers are accessible for persons with disabilities. Any person needing special accommodations to participate in the meeting should contact City Clerk Ashlee Langley at (208) 679-8158 at least 24 hours prior to the meeting.

DATED this 15 January 2025

HEYBURN CITY COUNCIL  
Ashlee Langley, Municipal Services Director