

Instrument # 949497
Bonner County, Sandpoint, Idaho
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Recorded for: BOCC
Michael W. Rosedale Fee: \$0.00
Ex-Officio Recorder Deputy *CB*
Index to: MISC



Bonner County Planning

RESOLUTION 19-110

RESOLUTION NO. 19- 110

**RIGHT-OF-WAY VACATION
FOR A PORTION OF N THAMA ROAD
PLANNING DEPARTMENT FILE #VS0002-19**

WHEREAS, JD Lumber filed a petition with Bonner County, Idaho for the vacation (abandonment) of the portion of North Thama Road located in a portion of Section 4, township 55 North, Range 4 West, Boise Meridian, Bonner County, Idaho as described in Exhibit A; and

WHEREAS, the Bonner County Board of Commissioners held a duly noticed public hearing for the vacation of that portion of North Thama Road described in Exhibit A (Planning Department File #VS0002-19) on November 13, 2019, pursuant to the procedures of Idaho Code §40-203; and

WHEREAS, following the duly noticed public hearing, the Bonner County Board of Commissioners did adopt findings of fact and conclusions of law in support of the abandonment of the subject portion of Red Fir Road, concluding that:

1. This proposal is compliant with the vacation criteria and standards set forth at Idaho Code §40-203.
2. That portion of the North Thama Road Public Easement is hereby vacated and declared abandoned; and

WHEREAS, the Board of Commissioners, pursuant to the application dated June 20, 2019, and survey provided upon request acknowledge that the vacated area is vested in JD Lumber; and

WHEREAS, pursuant to the Board's condition of approval, the petitioners have paid all legal advertisement and recording costs for the vacation proceedings.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners, Bonner County, Idaho, that the portion of North Thama Road, described in attached Exhibit A is hereby vacated.

BE IT FURTHER RESOLVED that all easements, franchise rights, appurtenances, or any other interests of any property owner or public utility in or across the property in question shall not be impaired by the granting of the vacation.


ADOPTED as a Resolution of the Board of County Commissioners of Bonner County, Idaho, upon a majority vote on 11/26/19.

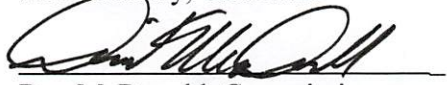
BONNER COUNTY BOARD OF COMMISSIONERS

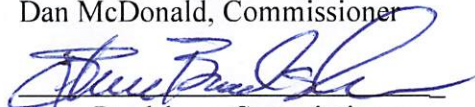
Chairman Jeff Connolly: AYE
Commissioner Dan McDonald: AYE
Commissioner Steve Bradshaw: AYE

BONNER COUNTY BOARD OF COMMISSIONERS


Jeff Connolly


Jeff Connolly, Chairman


Dan McDonald, Commissioner


Steve Bradshaw, Commissioner

ATTEST: Michael W. Rosedale, Clerk


By Deputy Clerk
Date 11/26/2019

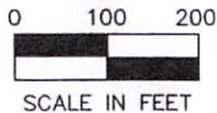
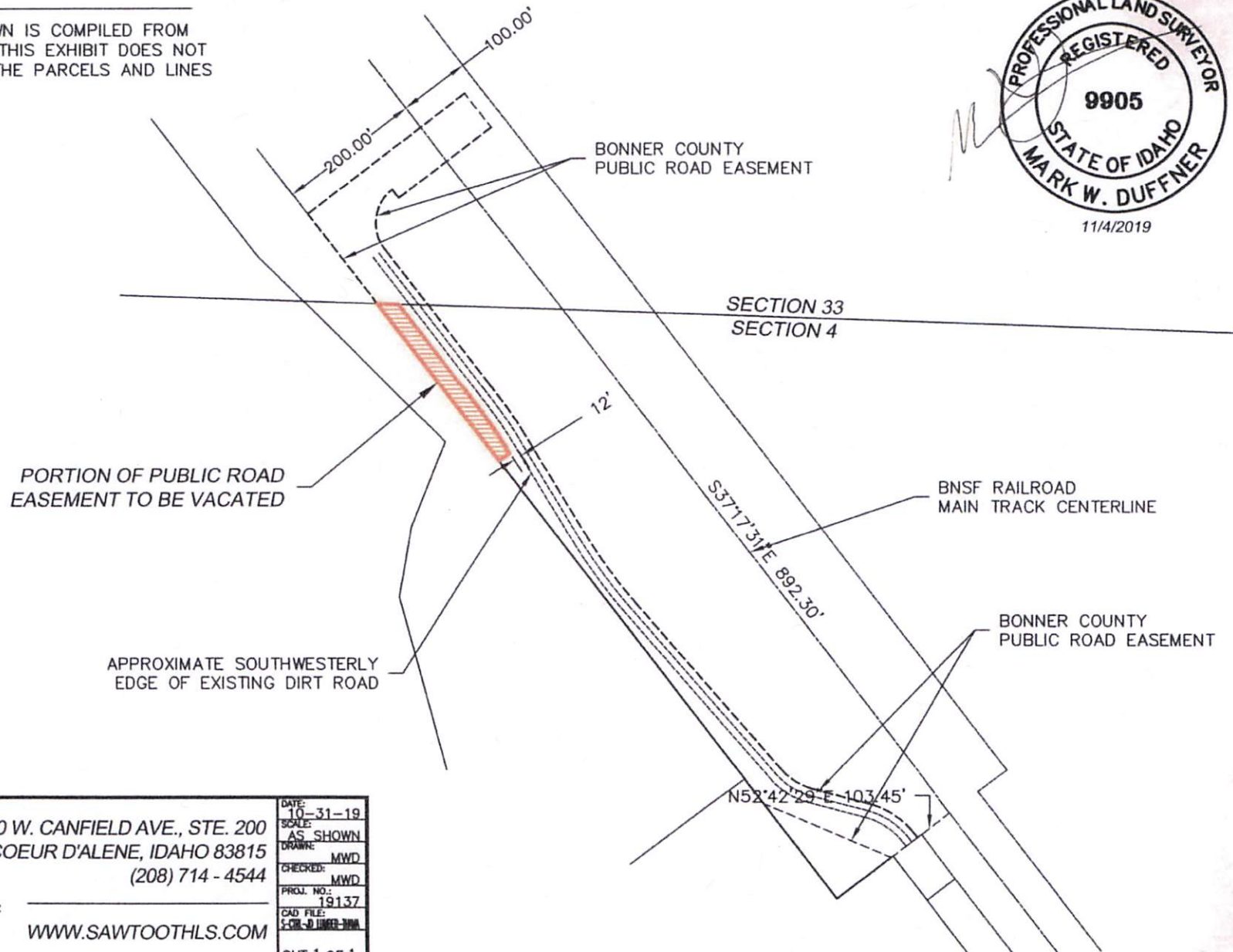
Legal: Bill Wilson

PORTION OF PUBLIC ROAD EASEMENT TO BE VACATED

SECTION 4, TOWNSHIP 55 NORTH, RANGE 4 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO

NOTE

ALL INFORMATION SHOWN IS COMPILED FROM RECORD INFORMATION. THIS EXHIBIT DOES NOT DEPICT A SURVEY OF THE PARCELS AND LINES SHOWN HEREON.



560 W. CANFIELD AVE., STE. 200
COEUR D'ALENE, IDAHO 83815
(208) 714 - 4544

WWW.SAWTOOTHLS.COM

DATE: 10-31-19
SCALE: AS SHOWN
DRAWN: MWD
CHECKED: MWD
PROJ. NO.: 19137
CAD FILE: S-CR-01-10-19-19A
SHT 1 OF 1

LEGAL DESCRIPTION OF PORTION OF A PUBLIC ROAD EASEMENT
TO BE VACATED

October 31, 2019

Being the following described portion of Section 4, Township 55 North, Range 4 West, Boise Meridian, Bonner County, Idaho more particularly described as follows:

Commencing at the intersection of the north line of said Section 4 with the Main Track Centerline of the Burlington Northern Santa Fe Railroad as described in the deed recorded in Book 24 of Deeds, Page 368;

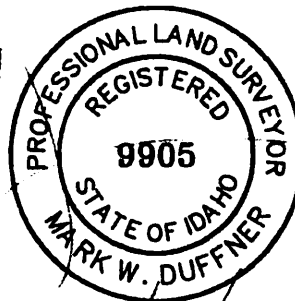
Thence N88°03'25"W along said north line of Section 4 a distance of 258.21 feet to a point on a line parallel with and 200.00 feet distant from (as measured perpendicularly to) said Main Track Centerline, said point being the True Point of Beginning;

Thence S37°17'31"E along said parallel line a distance of 279.07 feet;

Thence N52°42'29"E, 18 feet, more or less, to a point on a course parallel with and 12 feet southwesterly from (as measured perpendicularly to) the southwesterly edge of the dirt road;

Thence northwesterly along said parallel course a distance of 245 feet, more or less, to said north line of Section 4;

Thence N88°03'25"W along said north line a distance of 30 feet, more or less, to the Point of Beginning.





Bonner County Planning Department

"Protecting property rights and enhancing property value"

1500 Highway 2, Suite 208, Sandpoint, Idaho 83864

Phone (208) 265-1458 - Fax (208) 265-1463

Email: planning@bonnercountyid.gov - Web site: www.bonnercountyid.gov

November 15, 2019

Memorandum

To: Board of County Commissioners

From: Milton Ollerton, Bonner County Planning Director

Re: Vacation, N Thama Road File #VS0002-19

The Board of Commissioners approved the vacation (Abandonment) of a portion of N Thama Road following a public hearing November 13, 2019. This has the effect of vacating a portion of the roadway.

Conditions of approval required the petitioners to reimburse the county for costs to publish and mail legal notices for the public hearing. Payment of fees has been made. A written legal description and survey is provided for recording with the resolution vacating the right-of-way.

Idaho Code §40-203 requires a resolution be recorded confirming the vacation (abandonment) of the public right-of-way and the vesting of title for the abandoned right-of-way.

Distribution: Milton Ollerton
Jeannie Welter

Legal review _____

(Recommendation)

Staff recommends the Board approve the resolution for a vacation of a portion of N Thama Road as described. File VS0002-19.

I move to approve Resolution # 19- 110 vacating a portion of N Thama Road in a portion of Section 4, Township 55 North, Range 4 West, Boise Meridian, Bonner County Idaho, and conveying the vacated area to JD Lumber.

Recommendation Acceptance: Yes No

 Date: 11-26-19
Commissioner Jeff Connolly, Chairman