

Bonner County Commissioners

Resolution #19- 90

Validation of a Portion of East Bottle Bay Road Public Right-of-Way

WHEREAS, East Bottle Bay Road & Bridge Association, Inc. petitioned the Bonner County Board of Commissioners to validate a portion of East Bottle Bay Road public right-of-way, pursuant to Idaho Code §40-203A; and

WHEREAS, the Bonner County Commissioners held a duly noticed public hearing on August 7, 2019, pursuant to the procedures of Idaho Code 40-203A; and

WHEREAS, the Bonner County Commissioners found that said portion of East Bottle Bay Road right-of-way is in fact a public right-of-way.

NOW, THEREFORE BE IT RESOLVED by the Bonner County Commissioners, Bonner County, Idaho that said portion of East Bottle Bay Road is public right-of-way, as described in the attached Exhibit A and shown in the Record of Survey, Instrument No. 943839, records of Bonner County, Idaho.

DATED this 8 day of October, 2019

BONNER COUNTY BOARD OF COMMISSIONERS:

Absent
Jeff Connelly, Chairman

[Signature]
Dan McDonald, Commissioner

[Signature]
Steven Bradshaw, Commissioner

ATTEST:, Clerk

[Signature]
By Deputy Clerk

10/8/2019
Date

EXHIBIT "A"



GLAHE & ASSOCIATES, Professional Land Surveyors

P.O. Box 1863
303 Church St.
Sandpoint, ID 83864

Phone: (208) 265-4474
Fax: (208) 265-0675
Website: glaheinc.com

**Validation Legal Description for a
portion of East Bottle Bay Road**

**Section 3, Township 56 North, Range 1 West, B.M.
Bonner County, Idaho**

All that portion of the existing road right of way of East Bottle Bay Road, lying northerly of the north right of way of Bottle Bay Road and lying southerly of Lot 5 of the Plat of Shields Lakeshore Lots, recorded in Book 2 of Plats, Page 81 on May 3, 1961, said East Bottle Bay Road shown on Record of Survey Instrument No. 247930 recorded 1981 and as shown on Record of Survey Instrument No. 396199 recorded October 3, 1991, being a fifty foot (50') wide strip of land lying in the Northwest Quarter (NW1/4) of Section 3, Township 56 North, Range 1 West, Boise Meridian, Bonner County, Idaho, and being twenty-five (25) feet on each side of the following described centerline:

BEGINNING at the point of intersection of said centerline of East Bottle Bay Road with said north right of way of Bottle Bay Road, from which, the West Quarter Corner of said Section 3, marked with a 2-1/2" aluminum monument by PLS 9905, bears South 36°52'12" West a distance of 954.22 feet and from which the Southeast Corner of Lot 1 of JLL Estates, as recorded in Book 12 of Plats, Page 82, Instrument No. 913828 on October 31, 2017, marked with a 5/8" rebar, bears North 50°54'23" West a distance of 27.97 feet;

Thence along said centerline, the following six (6) courses:

1. North 22°36'39" East a distance of 192.51 feet to a point curvature to the left;
2. Along said curve to the left an arc distance of 119.12 feet, having a radius of 402.46 feet, a delta angle of 16°57'30", the chord of which bears North 14°07'54" East a distance of 118.69 feet to a point of tangency;
3. North 05°39'08" East a distance of 212.33 feet to a point curvature to the left;
4. Along said curve to the left an arc distance of 197.67 feet, having a radius of 528.99 feet, a delta angle of 21°24'36", the chord of which bears North 05°03'09" West a distance of 196.52 feet to point of tangency;
5. North 15°45'27" West a distance of 351.83 feet to a point curvature to the right;
6. Along said curve to the right an arc distance of 153.34 feet, having a radius of 235.90 feet, a delta angle of 37°14'40", the chord of which bears North 02°51'53" East a distance of 150.66 feet to the south line of said Lot 5 of Shields Lakeshore Lots and the **POINT OF TERMINUS**.

Validation Legal Description (Cont.)

The sidelines of the above described strip of land shall be extended and/or shortened as to begin on the northerly right-of-way of Bottle Bay Road and to be extended and/or shortened as to terminate on the South boundary of said Lot 5 of Shields Lakeshore Lots.

SEE ATTACHED EXHIBIT



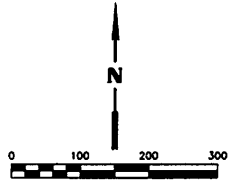
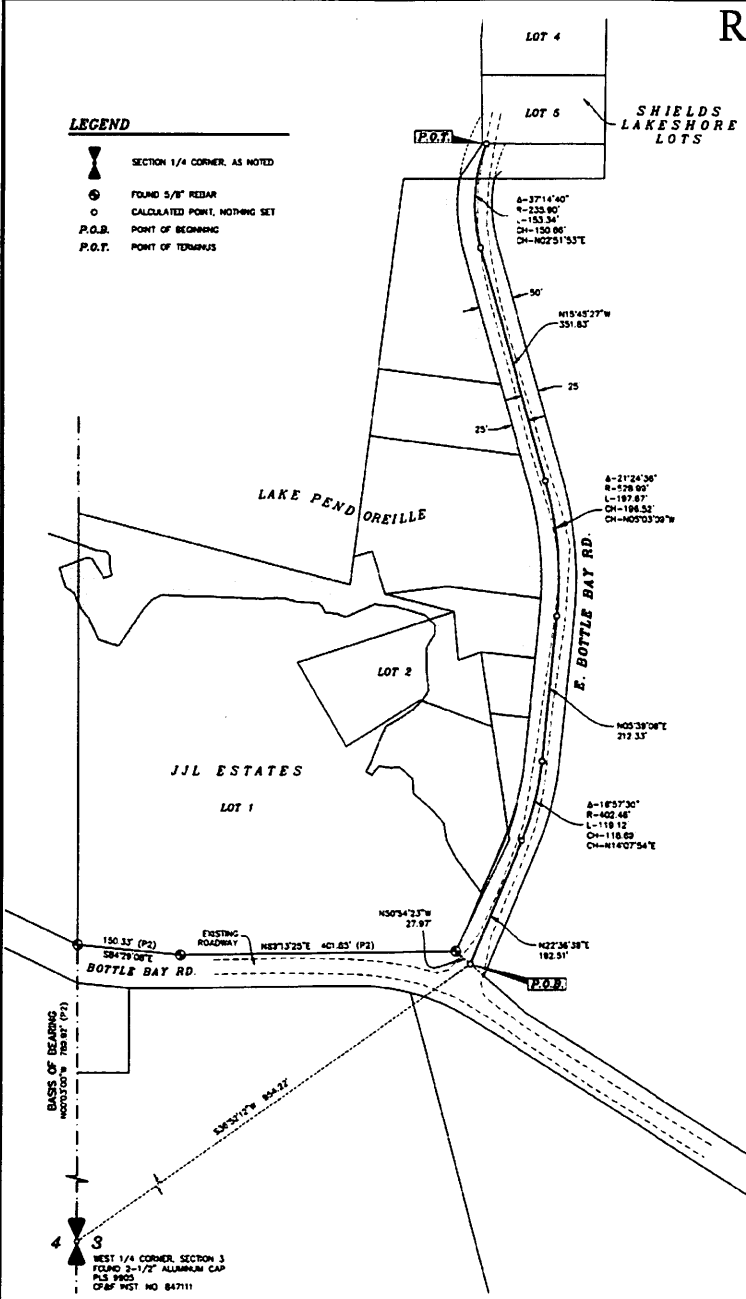
943839

RECORD OF SURVEY

OF
A PORTION OF EAST BOTTLE BAY ROAD,
LYING IN A PORTION OF THE NW/4 OF SECTION 3,
TOWNSHIP 56 NORTH, RANGE 1 WEST,
BOISE MERIDIAN, BONNER COUNTY, IDAHO

LEGEND

- SECTION 1/4 CORNER, AS NOTED
- FOUND 5/8" REBAR
- CALCULATED POINT, NOTHING SET
- P.O.B. POINT OF BEGINNING
- P.O.T. POINT OF TERMINUS



RECORDS

- (P1) PLAT OF SHIELDS LAKESHORE LOTS, BK. 2, PG. 81, WET. NO. 80304, 5/27/1981
- (P2) PLAT OF J.L. ESTATES, BK. 12, PG. 82, WET. NO. 813828, 10/31/2017

BASIS OF BEARING

BEARINGS BASED ON N00°03'00\"/>

METHOD OF SURVEY

THIS SURVEY WAS PERFORMED USING TRIMBLE R1C GNSS RECEIVERS AND THE DATA WAS PROCESSED USING TRIMBLE BUSINESS CENTER. CONVENTIONAL SURVEYING WAS COMPLETED BY CONVENTIONAL AND RADIAL TECHNIQUES USING A HIGH TOTAL STATION.

NOTE

THIS SURVEY MAKES NO REPRESENTATION OF OWNERSHIP, NOR ATTEMPTS TO SHOW ALL EASEMENTS OF RECORD OR IN VIEW, NOR PHYSICAL FEATURES AND IMPROVEMENTS OF THE PROPERTY.

RECORDER'S CERTIFICATE

FILED THIS 22ND DAY OF APRIL 2018, AT 11:55 O'CLOCK A.M. AT THE OFFICE OF CLARE AND ASSOCIATES, INC., AS REGISTRAR OF BONNER COUNTY, IDAHO.

M. Rosedale, Recorder
A. Janice, Deputy

PROJECT # 943839
FEE \$500
Inclusion # 943839 CONFORMED COPY
Survey County: Bonner, Idaho
Date: 04/22/2018 11:55 AM Page 1 of 1

SURVEYOR'S NARRATIVE
THIS RECORD OF SURVEY IS BEING RECORDED AS A CONDITION OF APPROVAL OF BONNER COUNTY FILE VS-2001-15, A PETITION FOR THE VALIDATION OF A PORTION OF EAST BOTTLE BAY ROAD. THE BONNER COUNTY COMMISSIONERS AT THE AUGUST 7, 2018 PUBLIC HEARING APPROVED THE REFERENCED PETITION WITH CONDITIONS ITEM 3 UNDER CONDITIONS OF APPROVALS STATES THAT "THE SURVEY SUBMITTED FOR THE LEGAL DESCRIPTION OF THE PORTION OF THE LAND TO BE VALIDATED SHALL BE RECORDED WITH THE BONNER COUNTY RECORDER'S OFFICE."

SURVEYOR'S CERTIFICATE
I, SCOTT L. TOLNESS, P.L.S. 6603, STATE OF IDAHO, DO HEREBY CERTIFY THAT THIS RECORD OF SURVEY HAS BEEN PREPARED BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH CHAPTER 15, TITLE 55 OF THE IDAHO CODE AND THAT THE MAP SHOWN HEREON IS A TRUE REPRESENTATION OF A SURVEY MADE BY ME DURING APRIL, 2018.



1/4	Section	Range	1
3	56	1	W
PROJECT # 943839 DRAWING SCALE: 1"=100' AS SHOWN			

RECORD OF SURVEY
OF
EAST BOTTLE BAY RD.

CLARE & ASSOCIATES
PROFESSIONAL LAND SURVEYORS
303 Church Street
Boise, Idaho 83724
208-385-4474

Scale: 1"=100'
Checked By: [Signature] Date: 4/23/2018
Drawn By: [Signature] Date: 4/23/2018
Sheet: 1 of 1

943839

SLN-1W-3



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

September 16, 2019

Memorandum

To: Board of County Commissioners

From: Milton Ollerton, Bonner County Planning Director

Re: Validation – A Portion of the East Bottle Bay Road Public Right-of-Way
Planning Department File #VS0001-19

The Board of Commissioners approved the validation of a portion of the East Bottle Bay Road public right-of-way following a public hearing August 7, 2019. This has the effect of validating the aforementioned portion more particularly described in VS0001-19 Resolution.

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 record of survey have been provided for recording with the resolution validating the public right-of-way.

Idaho Code §40-203A requires the commissioners enter an order validating the public right-of-way.

Distribution: Milton Ollerton
Jeannie Welter

Legal review 

(Recommendation)

Staff recommends the Board approve the resolution for a validation of a portion of the East Bottle Bay Road public right-of-way. File VS0001-19.

I move to approve Resolution # 19- 96 validating a portion of the East Bottle Bay Road public right-of-way in Section 3, Township 56 North, Range 1 West, Boise-Meridian.

Recommendation Acceptance: Yes No

 Date: 10/8/19
Commissioner Jeff Connolly, Chairman