

Instrument # 953314
Bonner County, Sandpoint, Idaho
02/18/2020 02:23:24 PM No. of Pages: 5
Recorded for: BCP/ BOCC
Michael W. Rosedale Fee: \$0.00
Ex-Officio Recorder Deputy _____
Index to: MISC



Bonner County Planning Resolution No. 2020-20

Lot 3 of "The View at Eagleridge" Plat Vacation

for a 30 Foot Portion of a 60 Foot Easement

Planning Department File #VS0003-19

RESOLUTION NO. 20- 20

**LOT 3 OF "THE VIEW AT EAGLERIDGE" PLAT VACATION
FOR A 30 FOOT PORTION OF A 60 FOOT EASEMENT
PLANNING DEPARTMENT FILE #VS0003-19**

WHEREAS, Chad L & Alison Schobert filed a petition with Bonner County, Idaho for the vacation (abandonment) of a 30-foot portion over the western line of Lot 3 of "The View at Eagleridge" according to the plat thereof recorded in Book 8 of Plats, Page 15, in the records of Bonner County, Idaho; and

WHEREAS, the Bonner County Board of Commissioners held a duly noticed public hearing for the vacation of a 30-foot portion over the western line of Lot 3 of "The View at Eagleridge" (Planning Department File #VS0003-19) on November 13, 2019, pursuant to the procedures of Idaho Code §50-1306A and §50-1317; 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 30-foot portion over the western line of Lot 3 of "The View at Eagleridge"; concluding that:

1. This proposal is compliant with the vacation criteria and standards set forth at Idaho Code §50-1306A and §50-1317.
Finding: No public agency has objected to the proposed right-of-way vacation. There are no utilities located within the areas that are proposed to be vacated, according to the application. Local utility providers were routed as part of agency review, and none responded.
2. By granting this petition for vacation, the easement will be vacated according to the included survey and legal description.
Finding: The 30-foot portion of the easement to be vacated does not include utility easements and moves the easement to the edge of the existing travelway.

WHEREAS, the Board of Commissioners, pursuant to the petition dated September 10, 2019, acknowledge that the vacated area is vested in the owner of Lot 3 of "The View at Eagleridge", show of record to be Chad L & Alison Schobert

WHEREAS, pursuant to the Board's condition of approval, the petitioner has 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 30-foot portion over the western line of Lot 3 of "The View at Eagleridge" described and depicted 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 the 18th day of February.

BONNER COUNTY BOARD OF COMMISSIONERS

Chairman Dan McDonald:

Aye

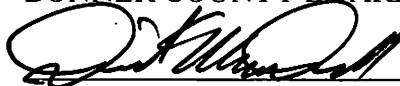
Commissioner Jeff Connolly:


Aye


Commissioner Steve Bradshaw:

Aye

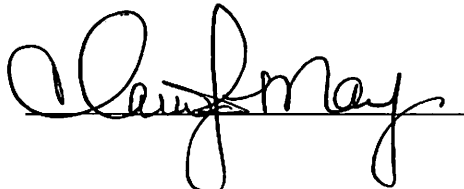
BONNER COUNTY BOARD OF COMMISSIONERS


Dan McDonald, Chairman


Jeff Connolly, Commissioner


Steve Bradshaw, Commissioner

ATTEST: Michael W. Rosedale, Clerk



2/18/2020
By Deputy Clerk
Date


Legal: _____



GLAHE & ASSOCIATES, Professional Land Surveyors

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

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

Legal Description

0.1 Acres

Bonner County, Idaho

Section 27, Township 57 North, Range 3 West, B.M.

A portion of the roadway easement lying in Lot 3 of The Plat of The View at Eagleridge, as recorded in Bk. 8, Pg. 15, Inst. No. 703597, 5/10/2006, records of Bonner County, Idaho, in Section 27, Township 57 North, Range 3 West, Boise Meridian, Bonner County, Idaho and being more particularly described as follows:

BEGINNING at the northernmost corner of said Lot 3, marked with a 5/8" rebar and cap by PLS 5713;

Thence along the northeasterly line of said Lot 3, South 68°34'57" East, 30.00 feet to the southeasterly right-of-way of Eagle View Lane, a private road;

Thence leaving said northeasterly line and along said southeasterly right-of-way the following three (3) courses:

1. Along a non-tangential curve to the right, concave to the northwesterly, with a delta angle of 08°46'56", a radius of 440.60 feet, and an arc length of 67.53 feet (the chord of which bears South 25°46'47" West, 67.47 feet);
2. Thence South 30°10'15" West, 84.01 feet;
3. Thence South 67°48'22" West, 15.98 feet to the southwesterly line of said Lot 3;

Thence leaving said southeasterly right-of-way and along said southwesterly line, North 25°29'18" West, 30.05 feet to the west corner of said Lot 3;

Thence leaving said southwesterly line and along the northwesterly line of said Lot 3, North 38°14'11" East, 32.57 feet to a 5/8" rebar and cap by PLS 5713;

Thence continuing along said northwesterly line, North 30°10'15" East, 8.95 feet to the edge of the existing roadway of Eagle View Lane;

Thence leaving said northwesterly line and along said existing edge of roadway, along a non-tangential curve turning to the left, concave to the northwesterly, with a delta angle of 35°20'47", a radius of 138.51 feet, and an arc length of 85.45 feet (the chord of which bears North 28°26'40" East, 84.10 feet) to the northwesterly line of said Lot 3;

Thence leaving said existing edge of roadway and along said northwesterly line, along a curve to the left, concave to the northwesterly, with a delta angle of 02°24'58", a radius of 410.60 feet, and an arc length of 17.31 (the chord of which bears North 22°35'41" East, 17.31 feet) to the **POINT OF BEGINNING**; encompassing an area of 0.1 Acres.

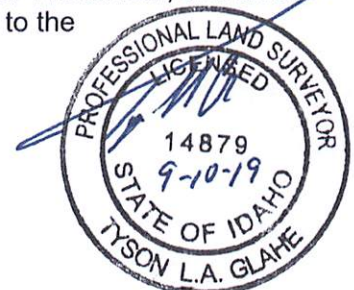


EXHIBIT MAP

LYING IN A PORTION OF LOT 3 OF
THE VIEW AT EAGLERIDGE,
IN THE NE¼ OF OF SECTION 27,
TOWNSHIP 57 NORTH, RANGE 3 WEST,
BOISE MERIDIAN, BONNER COUNTY, IDAHO

Not To Scale

LOT 4

POINT OF BEGINNING

S68°34'57"E
30.00'

LOT 3

**THE VIEW AT
EAGLERIDGE**

LOT 2

CURVE	DELTA	RADIUS	ARC	CHORD	CHORD BEARING
C1	8°47'03"	410.60'	62.95'	62.89'	N25°46'43"E
C2	6°22'06"	410.60'	45.64'	45.61'	N26°59'12"E
C3	2°24'58"	410.60'	17.31'	17.31'	N22°35'41"E
C4	35°20'47"	138.51'	85.45'	84.10'	N28°26'40"E
C5	8°46'56"	440.60'	67.53'	67.47'	S25°46'47"W

LEGEND

- ⊕ FOUND 5/8" REBAR AND CAP, PLS 5713
- CALCULATED POINT, NOTHING SET
- FOUND STEEL POST WITH BLUE FLAGGING
- (P1) PLAT OF THE VIEW AT EAGLERIDGE, BK. 8, PG. 15, INST. NO. 703597, 5/10/2006



GLAHE & ASSOCIATES
PROFESSIONAL LAND SURVEYORS

P.O. Box 1863
Sandpoint, ID 83864
208-265-4474

SCALE: N/A
DRAWN BY: SWO
DATE: 9/4/2019
DWG: 19-080
SHEET 1 of 1



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

February 11, 2020

Memorandum

Planning Item 1

To: Board of County Commissioners

From: Milton Ollerton, Bonner County Planning Director

Re: Vacation of a 30-foot portion of an easement over the western line of Lot 3 of "The View at Eagleridge"
Planning Department File #VS0003-19

The Board of Commissioners approved the vacation (Abandonment) of the easement over the portion of Lot 3 of "The View at Eagleridge" following a public hearing November 13, 2019. This has the effect of vacating the aforementioned portion more particularly described in VS0003-19 Resolution - Exhibit A.

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 is provided for recording with the resolution vacating the platted area.

Idaho Code §50-1324 requires a resolution be recorded confirming the vacation (abandonment) of the platted area and the vesting of title for the abandoned platted area.

Distribution: Milton Ollerton
Jeannie Welter

Legal review _____

(Recommendation)

Staff recommends the Board approve the resolution for a vacation of that portion of Lot 3 of "The View at Eagleridge", a platted area, as described. File VS0003-19.

I move to approve Resolution # 20- 20 vacating an easement over a portion of Lot 3 of "The View at Eagleridge" in Section 27, Township 57 North, Range 3 West, Boise Meridian and conveying the vacated area already vested in the owner of Lot 3 of "The View at Eagleridge", to show of record owner, Chad L. & Alison Schobert.

Recommendation Acceptance: ☒ Yes ☐ No

Commissioner Dan McDonald, Chairman