

RESOLUTION NO. 20- 42

**RIGHT-OF- WAY VACATION
For Brian Ringe
PLANNING DEPARTMENT FILE #VS0005-19**

WHEREAS, Brian Ringe filed a petition with Bonner County, Idaho for the vacation (abandonment) of a Right Of Way according to instrument number 342025 thereof recorded 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 that Right Of Way (Planning Department File #VS0005-19) on February 26, 2020, pursuant to the procedures of Idaho Code §50-1306A and IC §50-1325.; 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 Right Of Way, concluding that:

- 1.) This proposal is compliant with the vacation criteria and standards set for at Idaho Code §50-1306A and IC §50-1325.
- 2.) 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. 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 Right Of Way is hereby vacated, described in the attached Exhibit A.

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.

BE IT FURTHER RESOLVED that Bonner County does hereby grant, deed and convey the vacated right-of-way as described in (File # VS0005-19) to Brian Ringe, Ringe Properties LLC

ADOPTED as a Resolution of the Board of County Commissioners of Bonner County, Idaho, upon a majority vote on 6/23/20.

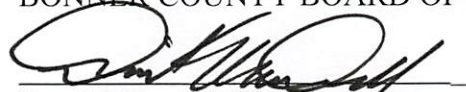
BONNER COUNTY BOARD OF COMMISSIONERS

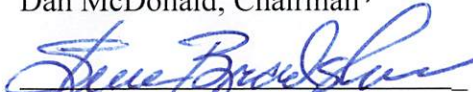
Chairman Dan McDonald: Aye

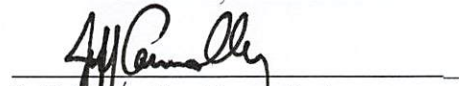
Commissioner Steve Bradshaw: Aye

Commissioner Jeff Connolly: Aye

BONNER COUNTY BOARD OF COMMISSIONERS

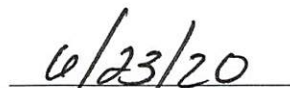

Dan McDonald, Chairman


Steve Bradshaw, Commissioner


Jeff Connolly, Commissioner

ATTEST: Michael W. Rosedale, Clerk


By Deputy Clerk


Date

Legal: _____

Exhibit A



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

Bonner County, Idaho
Section 4, Township 55 North, Range 4 West, B.M.

A fifty foot (50.0) road right-of-way, over and across portions of the SE 1/4 SW 1/4, the SW 1/4 SE 1/4, and Government Lot 3 of Section 4, Township 55 North, Range 4 West, Boise Meridian, Bonner County, Idaho, twenty-five feet (25.0) on each side of the following described centerline:

Beginning at a point on the northerly right-of-way line of the existing county road, known as the "Dufort Road", which point is North 34 degrees 11' 59" East a distance of 218.29 feet from the southwest corner of said SW 1/4 SE 1/4; thence along said centerline the following nine courses:

1. North 05 degrees 34' 27" West a distance of 50.18 feet;
2. 76.12 feet along a curve to the left, whose radius is 100.24 feet, and whose chord bears North 27 degrees 19' 24" West a distance of 74.30 feet;
3. North 49 degrees 05' 01" West a distance of 309.64 feet;
4. 176.40 feet along a curve to the right, whose radius is 149.99 feet, and whose chord bears North 15 degrees 23' 32" West a distance of 166.40 feet;
5. North 18 degrees 17' 57" East a distance of 591.18 feet;
6. 99.05 feet along a curve to the left, whose radius is 293.38 feet, and whose chord bears North 08 degrees 37' 38" East a distance of 98.58 feet;
7. North 01 degrees 02' 41" West a distance of 484.74 feet;
8. 120.58 feet along a curve to the right, whose radius is 71.87 feet, and whose chord bears North 47 degrees 01' 45" East a distance of 106.93 feet;
9. South 84 degrees 54' 48" East a distance of 490.59 feet to the end of said right-of-way, which point is North 17 degrees 06' 25" East a distance of 1917.37 feet from said southwest corner of said SW 1/4 SE 1/4.

Said right-of-way above is as shown on the Record of Survey recorded on July 31, 1987 by Instrument No. 338114, and as described by Dedication and Grant of Public Right of Way recorded on November 3, 1987 by Instrument No. 342025, in the records of Bonner County, Idaho.





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

May 28, 2020

Memorandum

Item
#2

To: Board of County Commissioners

From: Josh Pilch, Bonner County Planning Operations Manager

Re: Vacation of a Right Of Way, (File #VS0005-19)

The Board of Commissioners approved the vacation (Abandonment) of a Right Of Way following a public hearing February 28, 2019. This has had the effect of vacating said Right Of Way.

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 B. Wilson

(Recommendation)

Staff recommends the Board approve the resolution for a vacation of a Right of way as described. File #VS0005-19.

I move to approve Resolution # 20- 42 vacating a Right of Way in a portion of Section 4, Township 55 North, Range 4 West, Boise Meridian, Bonner County, Idaho and conveying the vacated area to Brian Ringe, Ringe Properties LLC.

Recommendation Acceptance: ☒ Yes ☐ No

[Signature] Date: 6/23/20
Commissioner Dan McDonald, Chairman