

RESOLUTION NO. 20 - 74

Road & Bridge

RIGHT OF WAY DESIGNATION

WHEREAS, Bonner County has acquired an interest in real property through a tax deed recorded as Bonner County Instrument Number 386990 and which is attached hereto as Exhibit A; and

WHEREAS, I.C. 40-202 provides that a county commission may enact a resolution establishing an interest in property for highway system purposes; and


WHEREAS, I.C. 40-202(2) provides that a county with highway jurisdiction may hold title to an interest in real property for public right-of way purposes without incurring an obligation to construct or maintain a highway within the right-of-way until the county determines that the necessities of public travel justify opening a highway within the right-of-way; and

WHEREAS, I.C. 40-202(4) provides that when a public right-of-way is created in accordance with the provisions of I.C. 40-202(2) there shall be no duty to maintain that public right-of-way, nor shall there be any liability for any injury or damage for failure to maintain it or any highway signs.

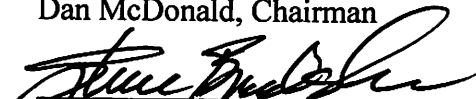
NOW, THEREFORE, BE IT RESOLVED that the ownership of the real property described herein and as attached as exhibit A is accepted by Bonner County as a right-of-way, under the terms of Title 40, Idaho Code, and such acceptance shall not incur any obligation on the part of Bonner County to construct or maintain such right-of-way as a public highway, until the County determines that the necessities of public travel justify opening a highway within the right-of-way.

ADOPTED as a Resolution of the Board of County Commissioners of Bonner County, Idaho upon a majority vote on the 13th day of Oct, 2020.

BOARD OF BONNER COUNTY COMMISSIONERS



Dan McDonald, Chairman

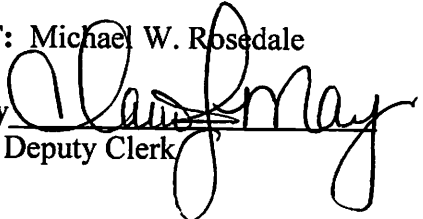


Steven Bradshaw, Commissioner

ABSENT

Jeff Connolly, Commissioner

ATTEST: Michael W. Rosedale

By 

Deputy Clerk

386990

TAX DEED

WHEREAS, on January 28, 1991, a delinquency hearing for the issuance of a Tax Deed was duly and regularly held pursuant to IDAHO CODE 68-1126D, as appears in the Records of the Bonner County Recorder at Sandpoint, Idaho and is recorded in the Commissioner's Minutes; and

WHEREAS, as a result of said hearing the Board of County Commissioners in and for Bonner County, Idaho, did direct that the Bonner County Treasurer shall issue this Tax Deed in favor of Bonner County, Idaho, for the hereindescribed property; and

WHEREAS, the name and address of the former record owner or owners of said described property is:

Ed Anderson, Estate

NOW, THEREFORE, in consideration of the aforesaid and by reason of IDAHO CODE 68-1126D, Karen L. Weldon, the duly elected and qualified Treasurer in and for Bonner County, Idaho, does hereby grant, convey, transfer, release and remise unto Bonner County, Idaho, whose current address is Sandpoint, Idaho, all right, title and interest to the following described property:

East 25 feet of Northeast Quarter of the Northeast Quarter less the Colburn Culver Road in Section 12, Township 58 North, Range 2 West, Boise Meridian, Bonner County, Idaho.

DATED: February 19, 1991

Karen L. Weldon
Karen L. Weldon
Karen L. Weldon
Bonner County Treasurer

STATE OF IDAHO

County of Bonner

ss.

On this 19th day of February, 19 91, before me, the duly elected and qualified Recorder in and for Bonner County, Idaho, personally appeared Karen L. Weldon, in his/her capacity of Bonner County Treasurer, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same.

Marie Scott
Marie Scott
Bonner County Recorder

STATE OF IDAHO

County of _____

ss.

I hereby certify that this instrument was filed for record at the request of _____ County, Idaho, on this _____ day of _____, 19____, at _____, and duly recorded in _____

FILED BY Marie Scott
91 FEB 19 PM 9 00
RECORDED BY Marie Scott
CLERK OF BONNER
DEP.

Bonner County provides the data "as is" with no claim as to its accuracy.

Encroachments

■ <all other values>

◆ Canceled

 Finalized

Pending

Structure

Access

Access

Secondary Access

Alternate Access

 Intersection

Other

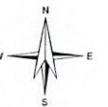
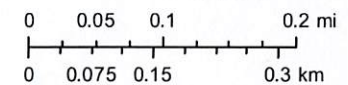
Begin County Maintenance

End County Maintenance

Ownership Type Change

 Lift Station

1:9,028



Source: Esri, Maxar, GeoEye, Earthstar
Web AppBuilder for ArcGIS
USDA FSA, GeoEye, Maxar | Esri, HERE, Garmin, iPC |



BONNER COUNTY ROAD & BRIDGE

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E-mail: roads@co.bonner.id.us

R&B Item # 1

October 13, 2020

To: Commissioners

From: Steve Klatt, Director

Re: Section 12, T58N, R2W, 25-foot wide parcel conversion to right-of-way

Bonner County acquired a 25-foot wide parcel of ground intersecting Colburn Culver Road at MP 230 in 1991 by Tax Deed. This appears to have been intended as the southern extension of Nettleingham Road. This has remained as a Bonner County parcel and has not been designated a public road right-of-way.

Bonner County has granted an easement over said parcel to Roger Thompson for his personal driveway, as well as the residential access to his son's home. We have been approached by the owner of another parcel adjoining this parcel for access to an otherwise legally landlocked parcel. Declaring this parcel as public right-of-way will create a privately maintained road and we can issue an encroachment permit for the requested driveway. In creating a public road, we will need to name the road and readdress the Thompsons.

Distribution: ___ Original to Records Office

___ 1 Copy to Road & Bridge

___ 1 Copy to BOCC

Legal Review: X Format by Scott Bauer

A suggested motion would be: **I move to approve Resolution 74 accepting the land identified in Bonner County Instrument Number 386990 as right-of-way under the provisions of Title 40, Idaho Code.**

Recommendation Acceptance: ☒ yes ☐ no

 date: 10/13/20
Commissioner Dan McDonald, Chairman

10/10/10