

Instrument # 1041146
Bonner County, Sandpoint, Idaho
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Michael W. Rosedale Fee: \$0.00 *CB*
Ex-Officio Recorder Deputy _____
Index to: MISC



Bonner County Planning

RESOLUTION NO. 2024 - 89

File VS0003-24; Plat Vacation

RESOLUTION NO. 24- 89

**PLAT VACATION
For Dennis G. McIntire PLANNING
DEPARTMENT FILE VS0003-24**

WHEREAS, Dennis G. McIntire filed a petition with Bonner County, Idaho for the vacation (abandonment) of a portion of “Plat Of SWSE Section 16-56N-2W” 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 Plat (Planning Department File VS0003-24) on October 9, 2024, pursuant to the procedures of Idaho Code §50-1306A and IC §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 subject Plat, concluding that:

- 1.) This proposal is compliant with the vacation criteria and standards set forth at Idaho Code §50- 1306A and §50-1317.

Finding:

This petition was submitted to the Planning Department on July 8, 2024. This petition was noticed to neighbors within 300 feet on September 24, 2024, and was noticed in the newspaper on September 24, 2024 and October 1, 2024.

There is a utility easement located within the areas that are proposed to be vacated, according to the petition. The applicant has not proposed the vacation of the utility easement. Local utility providers were routed as part of the agency review, and none responded.

- 2.) No public agency has objected to the proposed plat vacation. There is a utility easement 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.

Finding:

The power utility easement will continue to exist, recorded at Instrument No. 455855. The vacation does not include ingress/egress easements.

- 3.) By granting this petition for vacation, the plat will be vacated according to the legal description. The portion of the plat known as RP00687000001CA will cease to exist.

Finding:

This petition is to abandon a portion of the subject plat. This property and the remaining properties within the plat will not be left without legal access.

- 4.) Granting of this petition for vacation is in the public’s interest.

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 SWSE Section 16-56N-2W (RP00687000001CA) 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.

ADOPTED as a Resolution of the Board of County Commissioners of Bonner County, Idaho, upon a majority vote on November 26, 2024

BONNER COUNTY BOARD OF COMMISSIONERS

Asia Williams

Asia Williams, Chairwoman

Steve Bradshaw

Steve Bradshaw, Commissioner

Ron Korn

Ron Korn, Commissioner

ATTEST: Michael W. Rosedale, Clerk

Aimee Schoeffel

Legal: _____

B. Wilson

1. The first of the following conditions is that the person to whom the power is given shall be a person of full age and sound mind.

2. The second condition is that the power shall be given to a person who is not a minor, and who is not a person who is incapable of managing his own affairs.

3. The third condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

4. The fourth condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

5. The fifth condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

6. The sixth condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

7. The seventh condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

8. The eighth condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

9. The ninth condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

10. The tenth condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

11. The eleventh condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

12. The twelfth condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

13. The thirteenth condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

14. The fourteenth condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

15. The fifteenth condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

16. The sixteenth condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

17. The seventeenth condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

18. The eighteenth condition is that the power shall be given to a person who is not a person who is incapable of managing his own affairs.

Exhibit "A"

Lot 1, Plat of SW1/4-SE1/4, as recorded in Book 1 of Plats, Page 140, Located in a portion of Section 16, Township 56 North, Range 2 West, Records of Bonner County, Idaho.

Less Tax 1 described as:

That portion of Lot 1, Algoma Subdivision, located in Section 16, Township 56 North, Range 2 West of the Boise Meridian, Bonner County, Idaho, described as follows:

Beginning at the intersection of the West line of Said Lot 1 and the North Right of Way line of Highway 95;

Thence along the West line of said Lot 1, North 1 degree 05'40" West, 300.01 feet;

Thence East 100.04 feet of the East line of said Lot 1, South 1 degree 05'40" East, 228.29 feet to the North Right of Way line of Highway 95;

Thence along the Right of Way of Highway 95 South 53 degree 59'25", 121.98 feet to the point of beginning.



Bonner County

Board of Commissioners

Steve Bradshaw

Asia Williams

Ron Korn

November 26, 2024

Memorandum

Planning
Item #2

To: Board of County Commissioners

From: Alex Feyen, Planner, Planning Department

Re: Resolution for File VS0003-24, Idaho Code Title 50 Plat Vacation

On October 9, 2024, the Board of County Commissioners, held a duly noticed public hearing, to hear a petition to vacate a portion of a plat "Plat of SWSE Section 16-56N-2W". The plat is located generally located in Section 16, Township 56 North, Range 02 West, Boise-Meridian. The Board approved File Number VS0003-24 to vacate a portion of "Plat of SWSE Section 16-56N-2W".


Legal Review: 

Email is attached verifying that all legal questions/concerns have been resolved and that it has been approved.

Distribution: _____ Original to BOCC
Copy to : Jake Gabell, Jessica Montgomery, Alex Feyen

A suggested motion would be: **Based on the information before us I move to approve Resolution #2024 - 89, vacating a portion of a plat "Plat of SWSE Section 16-56N-2W", located in Section 16, Township 56 North, Range 02 West, Boise-Meridian.**

Recommendation Acceptance: ☒ Yes ☐ No


Asia Williams, Chairwoman

Date: 11-26-2024