

RESOLUTION NO. 25- 31

**PLAT VACATION
For Jonathan L and Chelsea F Mowery
PLANNING DEPARTMENT FILE VS0004-24**

WHEREAS, Jonathan L and Chelsea F Mowery filed a petition with Bonner County, Idaho for the vacation (abandonment) of a plat “Irontop Ridge” 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 VS0004-24) on February 12, 2025, 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:

Conclusion 1:

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

Finding:

This petition was submitted to the Planning Department on September 10, 2024. This petition was noticed to neighbors within 300 feet on January 29, 2025, and was noticed in the newspaper on January 29, 2025 and February 5, 2025.

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

Idaho Code §50-1317 does not apply to this project. The platted area is not located within any city limits.

Conclusion 2:

By granting of this petition for vacation, easements **will not** be vacated according to the legal description.

Finding:

The ingress, egress and utility easement will continue to exist, recorded at Instrument No. 1031798, per the applicant.

Conclusion 3:

Abandonment **will not** impede or deprive any property of legal access.

Finding:

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

Conclusion 4:

Granting this petition for vacation **is** in the public’s interest.

Finding:

The vacation would not prevent access, change the use and capability of the adjacent parcels, and would not create a condition that is in contrast with the Comprehensive Plan designation or current zoning that would create more potential impacts. This proposal would not be a detriment and returning the properties to their pre-platted status would be protecting the applicant's property rights.

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 "Irontop Ridge" 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 29.

BONNER COUNTY BOARD OF COMMISSIONERS


Asia Williams, Chair


Brian Domke, Commissioner


Ron Korn, Commissioner

ATTEST: Michael W. Rosedale, Clerk


By Deputy Clerk

4/29/25
Date

Legal: _____

Exhibit "A"

LOT 1, IRONTOP RIDGE RECORDED IN BOOK 21 OF PLATS, PAGE 96, LOCATED IN A PORTION OF SECTION 8, TOWNSHIP 56 NORTH, RANGE 2 EAST, BOISE MERIDIAN, BONNER COUNTY, IDAHO;

AND

LOT 2 IRONTOP RIDGE RECORDED IN BOOK 21 OF PLATS, PAGE 96, LOCATED IN A PORTION OF SECTION 8, TOWNSHIP 56 NORTH, RANGE 2 EAST, BOISE MERIDIAN, BONNER COUNTY, IDAHO;



Bonner County

Planning Department

April 29, 2025

Memorandum

Planning
Item #1

To: Commissioners

From: Alex Feyen, Assistant Director

Re: Resolution for the Vacation of "Irontop Ridge", Planning File VS0004-24

The Bonner County Board of Commissioners (Board) held a duly noticed public hearing on February 12, 2025, for the plat vacation (abandonment) of a plat known as "Irontop Ridge", recorded at Book 21 of Plats, Page 96, lying in a portion of Section 8, Township 56 North, Range 2 East, Boise Meridian, Idaho. The Board approved File #VS0004-24-to vacate "Irontop Ridge".

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, Alex Feyen, Jessica Montgomery

A suggested motion would be: **Based on the information before us I move to approve Resolution #2025-31, vacating the plat known as "Irontop Ridge", as recorded in Book 21 of Plats, Page 96 located in Section 8, Township 56 North, Range 2 East, Boise Meridian, Idaho.**

Recommendation Acceptance: Yes No

Asia Williams, Chair

Date

Instrument # 1046297
Bonner County, Sandpoint, Idaho
04/30/2025 09:47:12 AM No. of Pages: 4
Recorded for: BONNER COUNTY COMMISSIONERS
Michael W. Rosedale Fee: \$0.00
Ex-Officio Recorder Deputy _____
Index to: MISC

BC



Bonner County

RESOLUTION NO. 2025 - 31

Planning
File VS0004-24, Plat Vacation