

BONNER COUNTY PLANNING DEPARTMENT

1500 HIGHWAY 2, SUITE 208, SANDPOINT, ID 83864 (208) 265-1458 (208) 265-1463 (FAX) planning@bonnercountyid.gov (email) www.bonnercountyid.gov (web page)

MINOR LAND DIVISION APPLICATION

FOR OFFICE USE ONLY:

FILE #

ML00024-22

RECEIVED:

| D E C E I V E ∩ MAR 1 4 2022 |) |
|---------------------------------|---|
| BONNER COUNTY | |

NNER COUNTY PLANNING DEPARTMENT

PROJECT DESCRIPTION:

Name of Minor Land Division plat: East Bear Creek Bay

APPLICANT INFORMATION:

| Landowner's name: David P. and Laura D. Gruber | | | | |
|---|--------------|--|--|--|
| Mailing address: 1558 E Overbluff Rd | | | | |
| City: Spokane State: WA Zip code: 99203 | | | | |
| Telephone: 509-951-3314 Fax: | | | | |
| E-mail:david.gruber@providence.org and davidgruber6 | 03@gmail.com | | | |

REPRESENTATIVE'S INFORMATION:

| Representative's name: Travis Haller | | | |
|--------------------------------------|-----------|-----------------|--|
| Company name: Glahe & Assoc., Inc. | | | |
| Mailing address: 303 Church Street | | | |
| City: Sandpoint | State: ID | Zip code: 83864 | |
| Telephone: 208-265-4474 Fax: | | | |
| E-mail: thaller@glaheinc.com | | | |

ADDITIONAL APPLICANT REPRESENTATIVE INFORMATION:

| Name/Relationship to the project: | | | ***** | |
|-----------------------------------|--------|-----------|---------------|--|
| Company name: | | | | |
| Mailing address: | | | ******* | |
| City: | State: | Zip code: | ana mang | |
| Telephone: | | | | |
| E-mail: | | | and composity | |

PARCEL INFORMATION:

| Section #:15 | Township:61N | Range: 4W | Parcel acreage: 34.02 | |
|-----------------------|------------------------|-----------|---|--|
| Parcel # (s): RP61N04 | 4W153601A | | | |
| Legal description: | Gov't Lot 1 less Tax 1 | | | |
| Current zoning: Ru | ıral 10 (R-10) | Cu | rrent use: 131-Land-ag/timb w/resid Imp | |
| What zoning distr | icts border the projec | ct site? | | |

BONNER COUNTY MINOR LAND DIVISION APPLICATION

BOINDER COUNTER MINOR LAND DIVISION APPLICATION G:\Team Drives\Planning - Administrative\Application Forms\Minor Land Division\Minor Land Division Application - Written Form 2.7.19.Doc Page 1 of 5

| North: Forest 40 (F) | East: Forest 40 (F) | |
|---|---|--|
| South: Forest 40 (F) | West: Recreation (Rec) | |
| Comprehensive plan designation: Rural Resi | idential (5-10 AC) | |
| Uses of the surrounding land (describe l | ot sizes, structures, uses): | |
| North: State of Idaho Dept of Lands Forest Land | | |
| South: State of Idaho Dept of Lands Forest Land | | |
| East: State of Idaho Dept of Lands Forest Land | | |
| West: 5.25 Acre 534-Resid improv on cat 12 | | |
| Within Area of City Impact: Yes: No: | ✓ If yes, which city?: | |
| Detailed Directions to Site: From Sandpoint, travel westerly on Highway 2 to Priest River. At the intersection of Hwy 2 and Hwy 57 or Dickensheet Highway, approx. 22.5 miles. Turn right and travel north on Hwy 57 towards Priest Lake, approx. 5.4 mi to Cavanaugh Bay Rd/East Shore Rd. Turn right onto | | |
| Cavanaugh Bay/E Shore Rd and travel approx. 14 miles to Bear Creek Bay Rd. Turn left onto Bear Creek Bay Road and travel to the end. | | |
| Upper Bear Creek Bay Road will head northwesterly off Bear Cree | k Bay Rd, at this intersection stay to the left or south towards the lake and 232 Bear Crk. Bay Rd. | |

ADDITIONAL PROJECT DESCRIPTION:

Existing plat recording information: Unplatted

| Proposed lot | 5:2 | Depth to Width Ratio (D:W) |
|--------------|--------------------------|----------------------------|
| Lot #1 | Proposed acreage: 12.020 | 2:1 |
| Lot #2 | Proposed acreage: 21.995 | 3:1 |
| Lot #3 | Proposed acreage: | |
| Lot #4 | Proposed acreage: | |
| Remainder | Proposed acreage: | N/A |

SITE INFORMATION:

Please provide a detailed description of the following land features:

Topography (lay of the land), including estimated maximum slope, rock outcroppings, benches, etc: The land slopes up from shore of Priest Lake with areas of lowlands and rises to approx. 2800 feet at northeastern edges.

It is of varied terrain with lowlands near shore wrapped around a 2600 ft level hill.

Water courses (lakes, streams, rivers & other bodies of water):_ Bear Creek runs southerly through parcel to Priest Lake

Springs & wells: One well exists on the Property.

BONNER COUNTY MINOR LAND DIVISION APPLICATION

G:\Team Drives\Planning - Administrative\Application Forms\Minor Land Division\Minor Land Division Application - Written Form 2.7.19.Doc Page 2 of 5

| Exi | isting structures (size & use): <u>An existing One Story 2,734 sf Residence with</u> | n attached 264 sf garage, boat docks on the lake. |
|-------|---|--|
| | | |
| | | |
| Lar | nd cover (timber, pastures, etc): Primarily timbered (approx. 90%) with ope | n area around and south and southeast of the existing house. |
| | | |
| | | |
| | | |
| | e wetlands present on site? 🗸 Yes 🗌 No | Source of information: NWI Wetland Mapper |
| | od Hazard Zones located on site: $\Box X \Box D \blacksquare A \Box AE$ | DFIRM MAP: 16047C0150F 7/7/2014 |
| | ner pertinent information (attach additional pages if need | ded): |
| (Prie | est Lake Zone AE EL 2445.5) | |
| | CESS INFORMATION: | |
| Plea | ase check the appropriate boxes: | |
| | Private Easement Existing Proposed Describe travel surface (e.g., gravel, dirt, paved, et easement width. Include recorded instrument num existing: | ber for existing easements & name, if |
| | Lot are accessed primarily by Eastshore Road 60' wide public easement. The county says this as a private easement per Inst. 304410 and 891086, as is shown as such on the plat. | |
| | Bear Creek Road, Upper Bear Creek Road and Lower Bear Creek Road are all private eas | |
| | Public Road Existing Proposed Describe travel surface (e.g., gravel, dirt, paved, etc.), t width and name, if existing: | |
| | | |
| | Describe travel surface (e.g., gravel, dirt, paved, etc.), | Existing |
| | | |
| Is p | public road dedication proposed as part of this minor lar | nd division? |

List existing access and utility easements on the subject property. Inst. No. 971953, 994096, 76928, 304410, 891086, 411234, 891380, 877409.

∐Yes 🖌 No

BONNER COUNTY MINOR LAND DIVISION APPLICATION G:\Team Drives\Planning - Administrative\Application Forms\Minor Land Division\Minor Land Division Application - Written Form 2.7.19.Doc Page 3 of 5

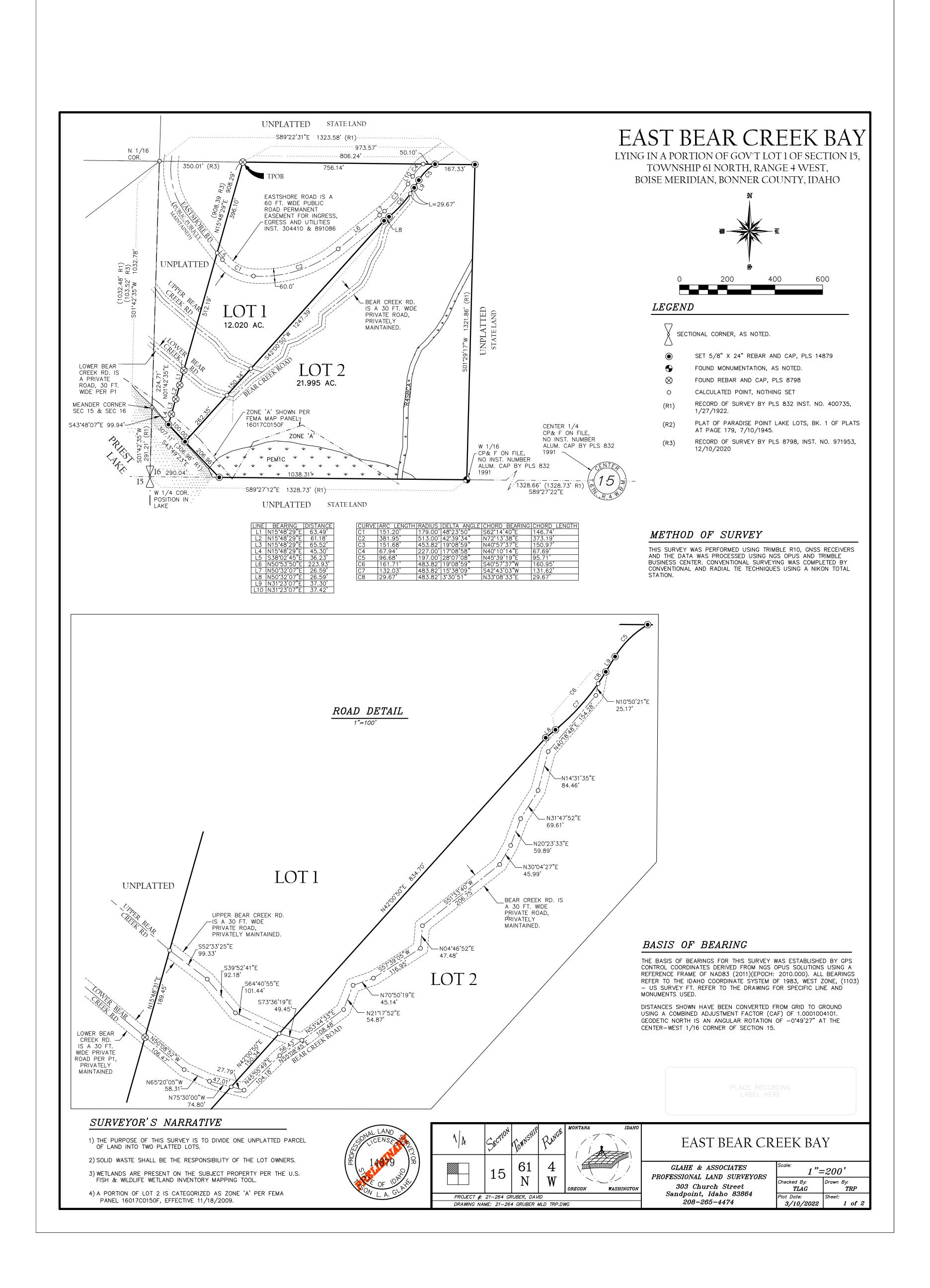
SERVICES:

| Sew | vage disposal will be provided by: |
|---------------------|--|
| X | Existing Community System - List name of sewer district or provider and type of system: Huckleberry Bay Sewer District |
| | Proposed Community System - List type & proposed ownership: |
| | Individual system – List type: |
| Exp and | lain the type of sewage system, capacity, maintenance plan, location of facilities, if applicable other details: see conversation with Dean Fiedler. A formal will serve can be supplied upon request. |
| | the sanitary restriction be lifted by the Panhandle Health District? |
| Wat | er will be supplied by: |
| | Existing public or community system - List name of provider: |
| | Proposed Community System - List type & proposed ownership: |
| X | Individual well |
| Plea and | use explain the water source, capacity, system maintenance plan, storage and delivery system other details: Typical underground individual private well. |
| Whi | ch power company will serve the project site?Avista |
| I he are repr | reby certify that all the information, statements, attachments and exhibits submitted herewith true to the best of my knowledge. I further grant permission to Bonner County employees and esentatives, elected or appointed officials to enter upon the subject land to make examinations, the property or review the premises relative to the processing of this application. |

Landowner's signature: Date: 3 DN BEHALF DF D. GRUBER Date: 3 2022 114

Landowner's signature:_____ Date: _____

BONNER COUNTY MINOR LAND DIVISION APPLICATION G:\Team Drives\Planning - Administrative\Application Forms\Minor Land Division\Minor Land Division Application - Written Form 2.7.19.Doc Page 4 of 5



| OWNERS' | CERTIFICATE |
|--|--|
| AND WIFE, HER CERTIFICATE AI 'EAST BEAR CF | EN BY THESE PRESENTS THAT DAVID POWELL GRUBER AND LAURA DANIEL GRU EBY CERTIFY THAT THEY ARE THE OWNERS OF THE REAL PROPERTY DESCRIBE ND HAVE CAUSED THE SAME TO BE PLATTED INTO LOTS 1-2, THE SAME TO BI REEK BAY' BEING A PORTION OF GOVERNMENT LOT 1, SECTION 15, TOWNSHIP 6 MERIDIAN, BONNER COUNTY, IDAHO, MORE SPECIFICALLY DESCRIBED AS FOLLO |
| THENCE ALONG | T THE NORTHWEST CORNER OF SAID GOVERNMENT LOT 1; THE NORTH LINE OF SAID GOVERNMENT LOT 1, SOUTH 89°22'31 EAST, 350.01 |
| | F BEGINNING; NUING ALONG SAID NORTH LINE, SOUTH 89°22'31 EAST, 973.57 FEET TO THE I ND GOVERNMENT LOT 1; |
| THENCE LEAVIN LOT 1, SOUTH | IG SAID NORTH LINE AND ALONG THE EAST LINE OF SAID GOVERNMENT 01°29'17 WEST, 1321.86 FEET TO THE SOUTHEAST CORNER OF SAID GOVERNMI ING SAID EAST LINE AND ALONG THE SOUTH LINE OF SAID GOVERNMENT |
| LOT 1, NORTH THENCE LEAVIN LOT 1, NORTH | 89°27'12 WEST, 1328.73 FEET TO THE SOUTHWEST CORNER OF SAID GOVERNM IG THE SOUTH LINE AND ALONG THE WEST LINE OF SAID GOVERNMENT 01°42'35 EAST, 291.21 FEET TO THE MEANDER CORNER OF SECTION 15 AND S IG SAID WEST LINE, SOUTH 43°49'23 EAST, 99.94 FEET; |
| | IG SAID WEST LINE, SOUTH 43 49 23 EAST, 99.94 FEET; I 15°48'29 EAST, 235.49 FEET; |
| | I 15°48'31 EAST, 908.29 FEET TO A POINT ON THE NORTH LINE OF SAID GOV E TRUE POINT OF BEGINNING. |
| TOGETHER WITH | I AND SUBJECT TO ALL EASEMENTS OF RECORD. |
| DAVID POWELL | |
| DAVID I OWLLL | GRUBER |
| DAVID TOWLEL | GRUBER |
| LAURA DANIEL | |
| LAURA DANIEL | |
| LAURA DANIEL | GRUBER |
| LAURA DANIEL ACKNOWL STATE OF | GRUBER EDGMENT |
| LAURA DANIEL ACKNOWL STATE OF COUNTY OF ON THIS UNDERSIGNED I KNOWN OR IDE | GRUBER EDGMENT |
| LAURA DANIEL ACKNOWL STATE OF COUNTY OF ON THIS UNDERSIGNED | GRUBER EDGMENT DAY OF, 2022, BEFORE ME, THE NOTARY PUBLIC, PERSONALLY APPEARED DAVID POWELL GRUBER , NTIFIED TO ME TO BE THE INDIVIDUAL WHO EXECUTED THE FOREGOING |
| LAURA DANIEL ACKNOWL STATE OF COUNTY OF ON THIS UNDERSIGNED I KNOWN OR IDE INSTRUMENT. NOTARY PUBLIC | GRUBER EDGMENT DAY OF, 2022, BEFORE ME, THE NOTARY PUBLIC, PERSONALLY APPEARED DAVID POWELL GRUBER , NTIFIED TO ME TO BE THE INDIVIDUAL WHO EXECUTED THE FOREGOING |
| LAURA DANIEL ACKNOWL STATE OF COUNTY OF ON THIS UNDERSIGNED I KNOWN OR IDE INSTRUMENT. NOTARY PUBLIC | GRUBER EDGMENT DAY OF |
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| LAURA DANIEL ACKNOWL STATE OF COUNTY OF ON THIS UNDERSIGNED I KNOWN OR IDE INSTRUMENT. NOTARY PUBLIC NOTARY PUBLIC RESIDING AT: MY COMMISSION | GRUBER EDGMENT |
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EAST BEAR CREEK BAY

LYING IN A PORTION OF GOV'T LOT 1 OF SECTION 15, TOWNSHIP 61 NORTH, RANGE 4 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO

DOCUMENTS AND EASEMENTS OF RECORD:

HUSBAND THIS OWN AS RTH, RANGE

ET TO THE

HEAST

LOT 1;

LOT 1;

ON 16;

ENT

DATE

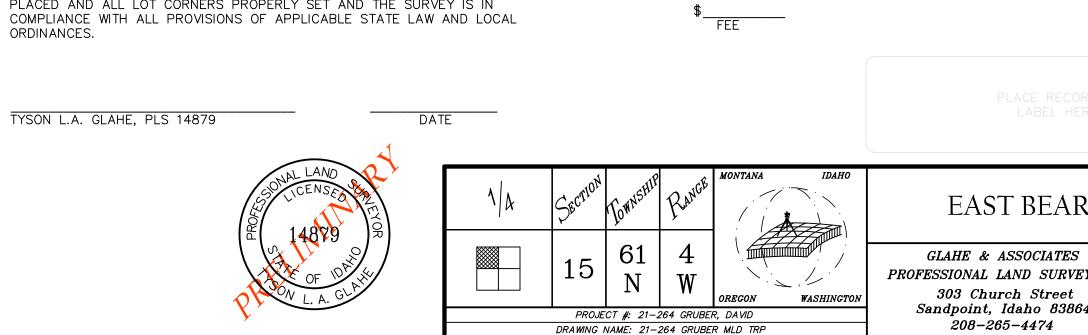
DATE

THE FOLLOWING DOCUMENTS OF RECORD PER ALLIANCE TITLE PLAT CERTIFICATE, ORDER NO. 594656, GUARANTEE NO. 7195-36-594656-2022.81075-226200219 DATED DECEMBER 20, 2021.

- 1. LIENS, LEVIES AND ASSESSMENTS OF THE DIAMOND WATER AND SEWER DISTRICT OR THE HUCKLBERRY BAY SEWER DISTRICT.
- 2. WATER RIGHTS, CLAIMS OR TITLE TO WATER.
- 3. RIGHTS OF THE STATE OF IDAHO IN AND TO THAT PORTION OF SAID PREMISES, IF ANY, LYING IN THE BED OR FORMER BED OF PRIEST LAKE, IF IT IS NAVIGABLE.
- 4. ANY QUESTION OF LOCATION, BOUNDAR OR AREA RELATED TO THE PRIEST LAKE, INCLUDING, BUT NOT LIMITED TO, ANY PAST OR FUTURE CHANGES IN IT.
- 5. ANY PROHIBITION OR LIMITATION ON THE USE, OCCUPANCY, OR IMPROVEMENTS OF THE LAND RESULTING FROM THE RIGHTS OF THE PUBLIC, APPROPRIATORS, OR RIPARIAN OWNERS TO USE ANY WATERS, WHICH MAY NO COVER THE LAND OR ANY USE ANY PORTION OF THE LAND WHICH IS NOW OR MAY FORMERLY HAVE BEEN COVERED BY WATER.
- 6. THE RIGHT OF USE, CONTROL, OR REGULATION BY THE U.S.A. IN EXERCISE OF POWER OVER NAVIGATION.
- 7. ANY DIFFERENCE IN THE MEAN HIGH WATER LINE OF THE PRIEST LAKE AND THE MEANDER LINE AS SHOWN BY GOV'T. SURVEY.
- 8. ANY RIGHTS, INTERESTS, OR EASEMENTS IN FAVOR OF THE PUBLIC WHICH EXIST OR ARE CLAIMED TO EXIST OVER ANY PART OF THE LAND COVERED BY WATER.
- 9. ANY ADVERSE CLAIM BASED ON THE ASSERTION THAT SOME PORTION OF SAID LAND IS NOW, OR AT ANY TIME HAS BEEN WITHIN THE BOUNDARIES OF THE PRIEST LAKE OR BY REASON OF THE FACT OR CLAIM THAT ANY PORTION OR PORTIONS THEREOF HAVE BEEN RENDERED UN-NAVIGABLE BY ARTIFICIAL MEANS, OR HAS ACCRETED TO SUCH PORTIONS SO CREATED.
- 10. ANY ADVERSE CLAIM BASED UPON THE ASSERTION THAT: A) SOME PORTION OF THE LAND FORMS THE BED OR BANK OF A NAVIGABLE RIVER OR LAKE OR LIES BELOW THE MEAN HIGH WATER MARK THEREOF: B) THE BOUNDARY OF THE LAND HAS BEEN AFFECTED BY A CHANGE IN THE COURSE OR WATER LEVEL OF A NAVIGABLE RIVER OR LAKE; C) THE LAND IS SUBJECT TO WATER RIGHTS CLAIMS OR TITLE TO WATER AND TO ANY LAW OR GOVERNMENTAL REGULATION PERTAINING TO WETLANDS.
- 11. A 40 FT. WIDE POWER EASEMENT GRANTED TO NORTHERN LIGHTS, INC. RECORDED AUG. 16, 1960 AS INST. NO. 76928, RECORDS OF BONNER CO., ID. NO EXACT LOCATION, NOT SHOWN.
- 12. WESTERN RECIPROCAL EASEMENTS RECORDED JUN. 25, 1985 AS INST. 304410, AND PARTIAL ASSIGNMENT OF WESTERN RECIPROCAL EASEMENTS RECORDED JUL. 7, 2016, RECORDS OF BONNER CO., ID. EASTSHORE ROAD AS SHOWN ON MAP.
- 13. AN UNDERGROUND POWER EASEMENT GRANTED TO NORTHERN LIGHTS, INC. RECORDED AUG. 28, 1992 AS INST. NO. 411234, RECORDS OF BONNER CO., ID. NO EXACT LOCATION, NOT SHOWN.
- 14. A PUBLIC RIGHTS- OF-WAY 60 FT. WIDE EASEMENT GRANTED TO BONNER COUNTY, ID. RECORDED JUN. 30. 2016 AS INST. NO. 891086, RECORDS OF BONNER CO., ID. SHOWN AS EASTSHORE ROAD ON MAP.
- 15. EASEMENTS, RESERVATIONS, AND DEDICATIONS AS SHOWN ON RECORD OF SURVEY RECORDED NOV. 4, 2020 AS INST. NO. 969373, RECORDS OF BONNER CO., ID.
- 16. AN ENCROACHMENT PERMIT NO. L97S0937B RECORDED OCT. 21, 2021 AS INST. NO. 994096, RECORDS OF BONNER CO., ID. FOR BOAT AND JET SKI LIFT.
- 17. RIGHT, TITLE AND INTEREST OF THE PUBLIC IN LAND LYING WITHIN ROADS OR HIGHWAYS.

SURVEYOR'S CERTIFICATE

I, TYSON L.A. GLAHE, PLS 14879, STATE OF IDAHO. DO HEREBY CERTIFY THAT THIS PLAT WAS PREPARED BY ME OR UNDER MY DIRECTION AND IS BASED ON AN ACTUAL SURVEY LOCATED IN SECTION 15, TOWNSHIP 61 NORTH, RANGE 4 WEST, BOISE MERIDIAN, BONNER COUNTY, IDAHO, THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN CORRECTLY THEREON AND THAT THE MONUMENTS HAVE BEEN PLACED AND ALL LOT CORNERS PROPERLY SET AND THE SURVEY IS IN



COUNTY SURVEYOR'S CERTIFICA

I HEREBY CERTIFY THAT I HAVE EXAMINED THE HEREIN PLAT "EAST BEAR CREEK BAY" AND CHECKED THE REPLAT AND COMPUTATIONS THEREON AND HAVE DETERMINED THAT THE REQUIREMENTS OF THE IDAHO STATE CODE PERTAINING TO PLATS AND SURVEYS HAVE BEEN MET.

DATED THIS _____ DAY OF _____, 2022.

BONNER COUNTY SURVEYOR

COUNTY COMMISSIONERS' CERTIFICATE

THIS PLAT HAS BEEN APPROVED AND ACCEPTED BY THE BOARD OF COUNTY COMMISSIONERS, BONNER COUNTY, IDAHO.

DATED THIS _____ DAY OF _____, 2022.

CHAIRMAN, BOARD OF BONNER COUNTY COMMISSIONERS

SANITARY RESTRICTIONS

SANITARY RESTRICTIONS AS REQUIRED BY IDAHO CODE, TITLE 50, CHAPTER 13 ARE IN FORCE. NO OWNER SHALL CONSTRUCT ANY BUILDING, DWELLING OR SHELTER WHICH NECESSITATES THE SUPPLYING OF WATER OR SEWAGE FACILITIES FOR PERSONS USING SUCH PREMISES UNTIL SANITARY RESTRICTION REQUIREMENTS ARE SATISFIED.

WATER AND SEWER NOTE

WATER SERVICE: WATER IS PROVIDED BY PRIVATELY OWNED WELL WATER SYSTEM SEWER SERVICE: SEWER SERVICE IS PROVIDED BY HUCKLEBERRY BAY SEWER DISTRICT

COUNTY TREASURER'S CERTIFICATE

I HEREBY CERTIFY THAT THE REQUIRED TAXES ON THE HEREIN DESCRIBED PROPERTY HAVE BEEN FULLY PAID UP TO AND INCLUDING THE YEAR

DATED THIS _____ DAY OF _____, 2022.

BONNER COUNTY TREASURER

RECORDER'S CERTIFICATE

FILED THIS ____ DAY OF ____, 2022, AT ___ O'CLOCK __.M., IN BOOK _____ OF PLATS AT PAGE ____ AT THE REQUEST OF GLAHE AND ASSOCIATES, INC., AS INSTRUMENT NO. _____

COUNTY RECORDER BY DEPUTY

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| 4 | 1 | Ľ |

EAST BEAR CREEK BAY Scale:

| IATES SURVEYORS | N/A | | |
|--------------------|--------------------------------|-------------------------|--|
| treet | Checked By: TLAG | Drawn By: TRP | |
| 83864 74 | Plot Date: 3/14/2022 | Sheet: 2 of 2 | |
| | | | |