

Instrument # 984906
Bonner County, Sandpoint, Idaho
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Michael W. Rosedale Fee: \$0.00
Ex-Officio Recorder Deputy
Index to: MISC



Resolution #2021-49

Planning

Right-Of-Way Vacation File #VS0005-21

RESOLUTION NO. 2021-49

**RIGHT-OF- WAY VACATION
FOR A PORTION OF WEST RIVER DRIVE
PLANNING DEPARTMENT FILE VS0005-21**

WHEREAS, Laura and Stephen O’Hare have filed a petition with Bonner County, Idaho for the vacation (abandonment) of that portion of a private ingress/egress easement at the end of West River Drive, located within Section 19, Township 55 North, Range 3 East, Boise Meridian, Bonner County, Idaho; and

WHEREAS, the Bonner County Board of Commissioners held a duly noticed public hearing for the vacation of that portion of right of way at the end of West River Drive, located within Section 19, Township 55 North, Range 3 East, Boise Meridian, Bonner County, Idaho; (Planning Department File VS0005-21) on June 9, 2021 pursuant to the procedures of Idaho Code §50-1317; §50-1318; §50-1319; §50-1321 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 that portion of a private ingress/egress easement at the end West River Drive located within Section 19, Township 55 North, Range 3 East, Boise Meridian, Bonner County, Idaho, concluding that:

- 1.) This proposal is compliant with the vacation criteria and standards set for at Idaho Code §50-1317; §50-1318; §50-1319; §50-1321.
 - a. Finding: The vacation is for that portion of the private ingress/egress easement at the end of West River Drive, located within Section 19, Township 55 North, Range 3 East, Boise Meridian, Bonner County, Idaho.
- 2.) Bonner County has not received objections from neighbors or public agencies for the request to vacate the described platted area.
 - a. Finding: Bonner County did not receive any public comments for the proposed vacation. Public agencies who did comment did not state any objections to the vacation.
- 3.) The abandonment of the easement is in the public interest.
 - a. Since the public did not comment, and the road is private, the request to vacate the road is in the public interest.

WHEREAS, the Board of Commissioners, pursuant to the petition dated June 9, 2021 acknowledge that the vacated area is already vested in the petitioner, show of record to be Laura and Stephen O’Hare.

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 that portion of right of way at the end of West River Drive, located within Section 19, Township 55 North, Range 3 East, Boise Meridian, Bonner County, Idaho, described below is hereby vacated.

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 private ingress/egress easement as described:

Located in Section 19, Township 55 North, Range 3 East, Boise Meridian, Bonner County, Idaho and being a part of West River Drive as shown on the First Addition to River Retreat Plat, recorded in Book 2 at Page 146, Bonner County Recorder's Office, and being more particularly described as follows;

Beginning at the northwest corner of Lot 2 of said Plat;

Thence along an easterly line of Lot 1 of said Plat to an east corner of said Lot 1, North 30° 11' 00" East, 162.65 feet;

Thence to the northeast corner of said Lot 2, South 07° 58' 28" East, 131.36 feet;

Thence along the north line of said Lot 2, South 84° 00' 00" West, 100.55 feet to the **Point of the Beginning.**

Containing 6,600 square (0.15 acres, more or less)

Note: It is the intent of this legal description to describe all portions of West River Drive lying within Section 19, Township 55 North Boise Meridian, Bonner County, Idaho established by deed, prescriptive use, viewers report or any other conveyance method.

ADOPTED as a Resolution of the Board of County Commissioners of Bonner County, Idaho, upon a majority vote on June 9, 2021.

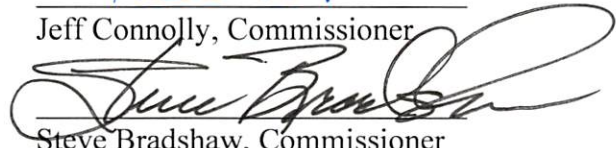
BONNER COUNTY BOARD OF COMMISSIONERS



Dan McDonald, Chairman

ABSENT

Jeff Connolly, Commissioner



Steve Bradshaw, Commissioner

ATTEST: Michael W. Rosedale, Clerk



By Deputy Clerk

June 9, 2021
Date

Legal: B Wilson



RUEN-YEAGER & ASSOCIATES, INC.
ENGINEERS ♦ PLANNERS ♦ SURVEYORS

**PROPOSED RIGHT-OF-WAY VACATION
FOR PORTION OF
WEST RIVER DRIVE**

Located in Section 19, Township 55 North, Range 3 East, Boise Meridian, Bonner County, Idaho and being a part of West River Drive as shown on the First Addition to River Retreat Plat, recorded in Book 2 at Page 146, Bonner County Recorder's Office, and being more particularly described as follows;

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Thence along the north line of said Lot 2, South $84^{\circ} 00' 00''$ West, 100.55 feet to the **Point of Beginning**.

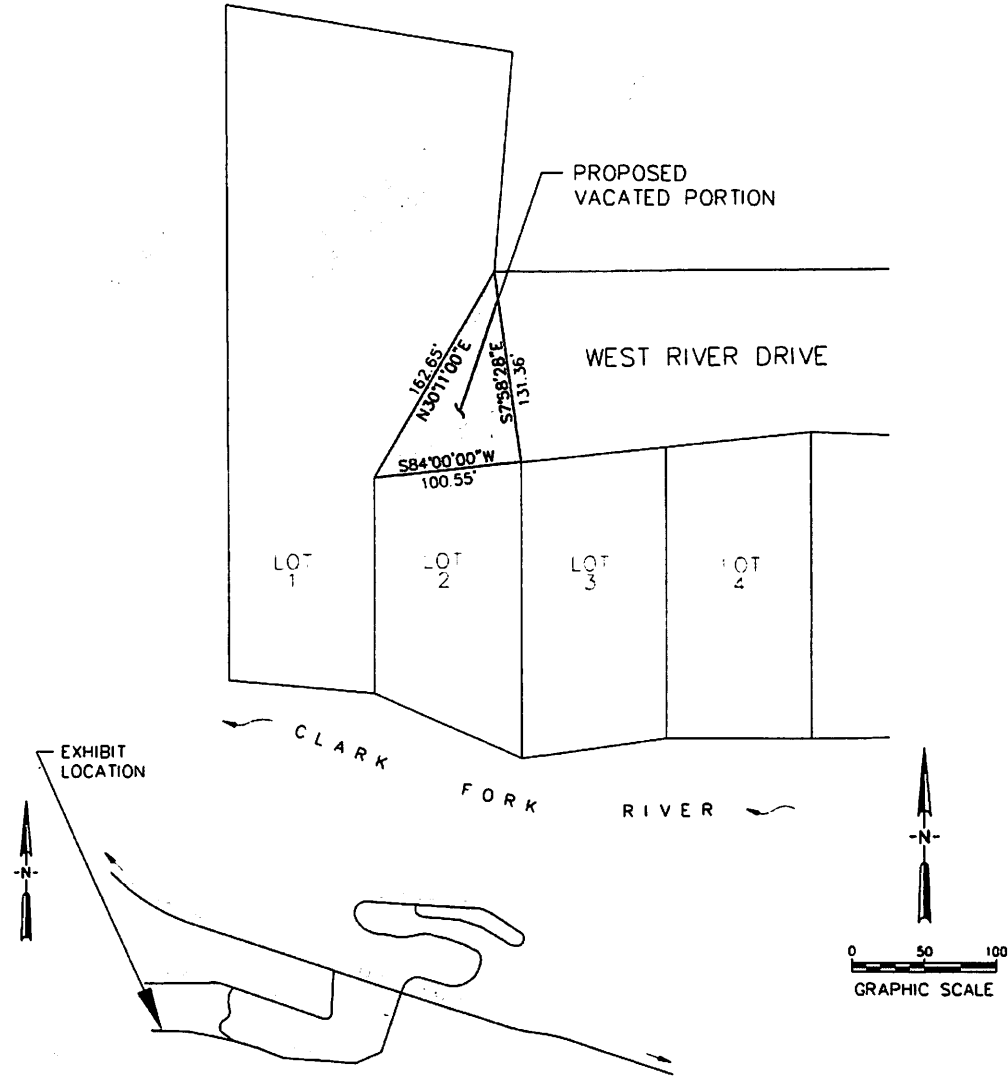
Containing 6,600 square feet (0.15 acres, more or less).



3201 North Huetter Road, Suite 102, Coeur d'Alene, Idaho 83814, Phone: (208) 292-0820 Fax: (208) 292-0821

219 Pine Street, Sandpoint, Idaho 83864, Phone: (208) 265-4629 Fax: (208) 263-0404

EXHIBIT A
 PORTION OF RIVER DRIVE
 PROPOSED TO BE VACATED



VICINITY MAP
 NO SCALE

DRAWN BY:	WFG	PLOT DATE:	01/05/2021
PROJECT:	P200794	SHEET:	1
FILE NAME:	RD_VAC_EXHIBIT.DWG		

O'HARE PROPOSED
 RIGHT-OF-WAY VACATION



RUEN-YEAGER & ASSOCIATES, INC.
 CONSULTING ENGINEERS - LAND SURVEYORS - PLANNERS
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 COEUR D'ALENE, IDAHO 83814
 (208)292-0820
 219 PINE ST.
 SANDPOINT, IDAHO 83864
 (208)265-4829

Exhibit B – Approximate location of road vacation

