TO: ACHD Board of Commissioners & Bruce S. Wong, Director
FROM: Kraig Howe
Senior Right-of-Way Agent
DATE: March 6, 2013

SUBJECT: Vacation of Public Right-of-Way - Public Hearing and acceptance of Resolution 1087 regarding an application to vacate an approximately 1.531 acre parcel of land, being a portion of North Spurwing Way as shown on the Plat of Spurwing Subdivision, Book 69, Pages 7104-7108, records of Ada County being located in a portion of the Southeast ¼ of the Southwest ¼ of Section 23, Township 4 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho within Spurwing Subdivision adjacent to Ada County Tax Assessor Parcels – R8081770042 and R8081770050.

Regular Agenda / Public Hearing for Board of Commissioners meeting March 20, 2013

EXECUTIVE SUMMARY

The purpose of the Vacation/Exchange is to vacate a portion of North Spurwing Way in the Spurwing Subdivision, Meridian. In exchange, the proponent offers an equivalent-sized parcel located within the proposed Spurwing Challenge Subdivision.

FACTS & FINDINGS

1. ACHD received a petition and application for the vacation and exchange of the above referenced right-of-way from Chuck Christensen, Quadrant Consulting, Inc., on behalf of the owner, Chris Anderson, The Club at Spurwing, LLC (“Attachment 1”).

2. The area being proposed for vacation contains approximately 1.531 acres and the right-of-way proposed to be dedicated contains approximately 1.529 acres (“Attachment 2”). The value of the right-of-way to be vacated in exchange for the new right-of-way to be dedicated is considered equal.

3. As required by Idaho Code, section 40-1309 a public hearing is to be held, of which hearing notice shall be published in accordance with the provisions of section 40-206. Notice of the public hearing is being published in the Idaho Statesman on March 5, 6 and 13, 2013 with the last date of publication at least five (5) days before the hearing.
4. In accordance with Idaho Law and ACHD policy, comments were requested from the following public and private agencies and public utilities, regarding their plans for the area of the proposed vacation. In addition, ACHD staff has been notified and comments were requested concerning the requested vacation.

A. ACHD Staff had no objections.

B. The following agencies had no response:
   Meridian City Clerk
   Meridian City Trash Department
   City of Meridian Public Works
   Meridian School District
   Meridian City Water Department
   Meridian City Sewer
   Qwest
   Intermountain Gas Company
   Boise Project Board of Control
   Integra Telecom
   Cable One Television
   Time Warner Telecom
   AT&T Communications
   Ada County Development Services

C. The following agencies responded and had no objection:
   Chevron Pipeline
   Meridian Fire Department
   Nampa-Meridian Irrigation District

Included with the application was a copy of Resolution No. 12-891, passed on 11/20/12 by the City Council, City of Meridian, approving the vacation of the subject parcel.
D. The following agencies responded and made comments:

Idaho Power Company responded that they maintain facilities within the parcel proposed to be vacated and requested that any vacation of the proposed location must be subject to, and preserve Idaho Power's rights of ingress and egress to/from its facilities, to install new facilities, or to repair, replace, maintain or otherwise modify any existing facilities in the subject road right of way.

5. There is no access to Federal or State lands or waters that will be denied if the requested vacation is approved.

6. On February 21, 2013 a letter was sent out notifying all property owners, within 300 feet of the requested vacation/exchange, of the public hearing date.

7. The public hearing for the vacation and abandonment of the above referenced public Right-of-Way will be conducted on March 20, 2013.

8. Attached for Commission review and consideration is Resolution No. 1087 ("Attachment 3").

9. Approval of the vacation and abandonment is subject to retention of the public and private utility easements, drainage easements, irrigation easements, and/or other easements of record or not of record or in use upon or under said described public right-of-way and/or the provisions for the relocation or replacement of existing facilities.

10. Costs associated with relocation or replacement of existing easements and facilities shall be borne by the applicant with approval of the applicable utility or agency.

11. The vacation/exchange will involve a sequence of steps as detailed in Resolution No. 1087 including:

a. Petitioner shall furnish a Financial Security for design and construction of the road on the exchange parcel.

b. Petitioner shall convey the Exchange Parcel to ACHD by Warranty Deed.

c. Petitioner shall convey a Temporary Right-of-Way Easement to ACHD to connect the Exchange Parcel to W. Chinden Blvd.

d. ACHD shall convey the Vacation Parcel to Petitioner by Quitclaim Deed.

e. Petitioner shall convey a Temporary Right-of-Way Easement to ACHD on the Vacation Parcel.
f. Once Petitioner has constructed the road on the Exchange Parcel and it has been accepted by ACHD, ACHD will release the Temporary Right-of-Way Easements.

12. Vacations are normally conveyed to the property owners on each side of the vacated roadway. In this vacation, the property east of the road to be vacated (Ada County Assessor's Parcel No. R8081770050) is owned by the applicant, The Club at Spurwing, LLC. The property west of the road to be vacated (Ada County Assessor's Parcel No. R8081770042) is owned by Pacific Links, Limited Company. Pacific Links, Limited Company, has agreed in writing to waive its right, title and interest to the property interests being vacated.

FISCAL IMPACT

1. Application fees in the amount of $1000 to cover administrative costs of this vacation have been paid to ACHD.

2. The land values for the rights to be exchanged are considered equal.

POLICY IMPLICATIONS

None. The public hearing and the vacation procedures were accomplished according to current ACHD policies.

RECOMMENDATIONS

Staff recommends that the Board of Commissioners approve and sign Resolution No. 1087 and the president of the board sign the quitclaim deed to vacate an approximately 1.531 acre parcel of land, being a portion of North Spurwing Way as shown on the Plat of Spurwing Subdivision, Book 69, Pages 7104-7108, records of Ada County being located in a portion of the Southeast ¼ of the Southwest ¼ of Section 23, Township 4 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho within Spurwing Subdivision adjacent to Ada County Tax Assessor Parcels – R8081770042 and R8081770050.

ATTACHMENTS:

1. Application for and depiction of proposed vacation/exchange parcels

2. Quitclaim Deed to The Club at Spurwing, LLC

3. Resolution 1087

cc: Right-of-Way File

Quadrant Consulting, Inc.
Attn: Chuck Christensen
1904 West Overland Road
Boise, ID 83705
November 21, 2012

Ada County Highway District
Right-of-Way Department
3775 Adams Street
Garden City, ID 83714

Re: The Vacation/Exchange of Spurwing Way – North of Chinden Boulevard to Penncross Way

Dear Sir or Madam:

On behalf of The Club at Spurwing, LLC, we are hereby requesting that the existing public right-of-way of Spurwing Way, north of Chinden Boulevard to Penncross Way be vacated and exchanged for a new location a little to the east and in alignment with the existing Long Lake Way. The proposed realignment is shown on the attached exhibit.

The applicant’s contact information is shown below:

The Club at Spurwing, LLC
Attn.: Mr. Chris Anderson
3405 East Overland Road, Suite 150
Meridian, ID 83686
Phone: 208-322-7300

Quadrant Consulting, Inc. is acting as the applicant’s representative. The contact information is shown below:

Quadrant Consulting, Inc.
Attn.: Mr. Chuck Christensen
1904 West Overland Road
Boise, ID 83705
Phone: 208-342-0091

The proposed alignment of the new Spurwing Way has been reviewed and approved by the Ada County Highway District commissioners as part of the Spurwing Challenge preliminary plat. The area of the right-of-way being vacated is 60,588 square feet. The area of the new right-of-way is 66,163 square feet. The vacated right-of-way will continue to be used as a roadway, but will be a private road, owned and maintained by The Club at Spurwing, LLC.
This vacation request has been considered by the City of Meridian and meets their approval, and also has the support of the Idaho Transportation Department.

Thank you for your attention to this matter.

Sincerely,
QUADRANT CONSULTING, INC.

[Signature]

Chuck Christensen, P.E.
Project Manager

attachment
QUITCLAIM DEED CONVEYING PUBLIC RIGHT-OF-WAY

THIS INDENTURE, made this __________ day of _____________, 2013, by and between ADA COUNTY HIGHWAY DISTRICT, a body politic and corporate of the State of Idaho, the "GRANTOR", and THE CLUB AT SPURWING, LLC, the "GRANTEE".

WITNESSETH:

FOR VALUE RECEIVED, GRANTOR does by these presents convey, remise, release and forever quitclaim unto GRANTEE all right, title and interest of GRANTOR in the real property situated in the COUNTY OF ADA, STATE OF IDAHO, as more particularly described on Exhibit "A" attached hereto and by this reference made a part hereof (hereinafter the "Right-of-Way").

SUBJECT TO easements of record, statutory rights of utilities and districts to be in the public right-of-way which rights are being exercised in the Right-of-Way as of the date of this Indenture (for sewer, gas, water or similar pipelines and their appurtenances, for electrical and telephone lines and for irrigation and drainage ditches), and subject to licenses for telecommunications lines which are in place in the Right-of-Way as of the date of this Indenture. GRANTEE is responsible for costs of any relocation or replacement of such pipelines, lines and ditches.

TO HAVE AND TO HOLD the same unto the GRANTEE and to its successors and assigns forever.

The current address of GRANTEE is:

The Club at Spurwing, LLC
3405 E. Overland Road, Suite 150
Meridian, ID 83686
IN WITNESS WHEREOF, this Quitclaim Deed has been duly executed by and on behalf of GRANTOR this 30TH day of MARCH, 2013.

ADA COUNTY HIGHWAY DISTRICT

By: __________________________

Sara M. Baker, President

Attest:

____________________________________
Bruce S. Wong, Director

STATE OF IDAHO  )
      ) ss.
County of Ada    )

On this 30TH day of MARCH, 2013, before me, a notary public in and for said State, personally appeared, Sara M. Baker, President, of the Board of Commissioners of the Ada County Highway District and she executed this instrument on behalf of said Highway District for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

____________________________________
Notary Public for the State of Idaho
Residing at Boise, Idaho
My Commission Expires:
RESOLUTION NUMBER 1087

AUTHORIZING AN ABANDONMENT/VACATION OF PUBLIC RIGHT-OF-WAY AND THE EXCHANGE OF LAND BY AND BETWEEN THE ADA COUNTY HIGHWAY DISTRICT AND THE CLUB AT SPURWING, LLC WITH OTHER CONSIDERATIONS BETWEEN THE PARTIES.

WHEREAS, by its Resolution Number 1085 adopted and approved at its regular meeting held on February 20, 2013, the Ada County Highway District Commission, in accordance with the requirements of Idaho Code, section 40-1309 and 40-203, found that a portion of N. Spurwing Way, as shown on the Plat of Spurwing Subdivision, Book 69, Pages 7104-7108, records of Ada County being located in a portion of the southeast ¼ of the southwest ¼ of Section 23, T. 4 N., R. 1 W., Boise Meridian, City of Meridian, Ada County, Idaho, adjacent to Ada County Parcels – R8081770042 and R8081770850, and more particularly described in Exhibit “A” (hereinafter “subject public right-of-way”) was no longer useful to ACHD, and set a public hearing before the Commission for 12:00 Noon, on March 20, 2013, at which time any person could appear to show cause why the subject public right-of-way should not be abandoned/vacated and exchanged for the real property owned by THE CLUB AT SPURWING, LLC, described on Exhibit "B" attached hereto (the "Exchange Parcel") as an exchange as per the Petition of THE CLUB AT SPURWING, LLC ("Petitioner"); and

WHEREAS, in accordance with Idaho Code, sections 40-203 and 40-1309, the Commission does hereby make the following findings of fact and conclusions of law:

FINDINGS OF FACT:

1. Date of Application: November 21, 2012.

2. Upon the filing of a petition by the Petitioner for the abandonment/vacation and exchange of the subject public right-of-way for the Exchange Parcel, the following organizations and agencies were notified:
   
   A. on February 8, 2013, Ada County Highway District Staff members;

   B. on January 24, 2013, all appropriate local agencies and utilities were contacted and comments requested.

3. On February 20, 2013 a public hearing date was set by the Board of Commissioners for March 20, 2013.

4. Following the filing of the petition for the abandonment/vacation and exchange of the subject public right-of-way for the Exchange Parcel, property owners within 300 feet of the subject right-of-way were notified by certified mail on February 21, 2013, of the time, date and place of the public hearing.

5. In accordance with Idaho law, a Notice of Public Hearing was published in the Idaho Statesman a daily newspaper published in Ada County, Idaho, on the 5th, 6th and 13th days of March, 2013, and an affidavit of publication was received by the Ada County Highway District and is on file in the office of the Right-of-Way Department.
6. Any and all comments received from the February 8, 2013 notification of Ada County Highway District Staff members and the January 24, 2013 notification of all applicable local agencies are on file in the office of the Right-of-Way Department and are included within the Public Hearing staff memo dated March 6, 2013.

7. Any and all comments received from those property owners of real property within 300 feet of the subject right-of-way are on file in the office of the Right-of-Way Department and are included within the Public Hearing staff memo dated March 6, 2013.

8. At the public hearing on Wednesday, March 20, 2013, oral and or written testimony was presented and at the conclusion of which, President Sara M. Baker closed the public hearing for testimony. After discussion, the Commission found the abandonment/vacation and exchange was in the public's best interest and voted to approve the abandonment/vacation and exchange of the subject public right-of-way for the Exchange Parcel with the value for the land to be considered equal.

CONCLUSIONS OF LAW:

It is the opinion of the Board of Commissioners of the Ada County Highway District, per President Sara M. Baker, and Commissioners, John S. Franden, Rebecca W. Arnold, Mitchell A. Jaurena, and Jim Hansen that the subject right-of-way is no longer needed by the Ada County Highway District and that it is the best interest of the traveling public, the adjacent property owners, and the Ada County Highway District that the abandonment/vacation of a portion of N. Spurwing Way, as shown on the Plat of Spurwing Subdivision, Book 69, Pages 7104-7108, records of Ada County being located in a portion of the Southeast ¼ of the Southwest ¼ of Section 23, T. 4 N., R. 1 W., Boise Meridian, City of Meridian, Ada County, Idaho, adjacent to Ada County Parcels – R8081770042 and R8081770080, and more particularly described in Exhibit “A” be approved and the subject public right-of-way abandoned/vacated and that the abandoned/vacated subject public right-of-way be exchanged for the Exchange Parcel. Subject to the following:

Retention of public and private utility easements, drainage easements, irrigation easements and/or other easements of record or not of record or in use upon or under said described public right-of-way and/or the provisions for the relocation or replacement of existing facilities.

NOW, THEREFORE, BE IT RESOLVED, pursuant to Idaho Code section 40-203 and 40-1309 that the proposed abandonment/vacation of the public right-of-way and the exchange of the abandoned/vacated subject public right-of-way for the Exchange Parcel is hereby authorized, and that the President of the Commission and the Director be, and are hereby, authorized and directed to execute such exchange on behalf of the Ada County Highway District and the appropriate Quitclaim deeds for the abandoned/vacated subject public right-of-way.

1. Subject to retention of public and private utility easements, drainage easements, irrigation easements and/or other easements of record or not of record or in use upon or under said described public right-of-way and/or the provisions for the relocation or replacement of existing facilities.

2. The exchange is considered to be equal in value.
Costs associated with relocation or replacement of existing easements and facilities shall be borne by the Petitioner with approval of the applicable utility or agency.

BE IT FURTHER RESOLVED, that this vacation/exchange shall involve the following sequence of steps:

1. Petitioner shall furnish a Financial Surety for design and construction of the road on the exchange parcel in an amount and form acceptable to ACHD.

2. Petitioner shall convey the Exchange Parcel (see Attachment 1) by Warranty Deed to ACHD, free and clear of all encumbrances.

3. Petitioner shall convey a Temporary Right-of-Way Easement to ACHD in a format acceptable to ACHD on a parcel to connect the Exchange Parcel to W. Chinden Boulevard (see Attachment 2).

4. ACHD shall convey by Quitclaim Deed the Vacation Parcel (see Attachment 3).

5. Petitioner shall convey a Temporary Right-of-Way Easement to ACHD in a format acceptable to ACHD on the Vacation Parcel.

6. Only upon the District's receipt of the documents satisfying items 1, 2, and 3, above, and full payment of all applicable charges, costs and fees and any other amounts owing by October 31, 2013, shall this Resolution be recorded in the county records.

7. Once the roadway on the Exchange Parcel has been constructed by Petitioner and accepted by ACHD, ACHD shall release the Temporary Right-of-Way Easements referenced in items 2 and 3, above.

BE IT FURTHER RESOLVED, that if Petitioner has not satisfied item 7, above, by November 27, 2013, the Board of Commissioners may, at a public hearing and upon thirty (30) days notice of said public hearing to the Petitioner by certified mail and adjacent property owners by regular mail, declare the abandonment/vacation and exchange void and issue a resolution declaring the same.

ADOPTED AND APPROVED by the Board of Commissioners of the Ada County Highway District at its regular meeting held on this 20th, day of March, 2013.

ADA COUNTY HIGHWAY DISTRICT
BOARD OF COMMISSIONERS

By: ________________________________
    SARA M. BAKER, President

By: ________________________________
    JOHN S. FRANDEN, Vice President

Abandonment/Vacation and Exchange Resolution - page 3
(3/29/2010)
By: ____________________________
    REBECCA W. ARNOLD, Commissioner

By: ____________________________
    MITCHELL A. JAURENA, Commissioner

By: ____________________________
    JIM HANSEN, Commissioner

ATTEST:

________________________________________
Bruce S. Wong, Director

STATE OF IDAHO  )
    ) ss.
County of Ada  )

On this 20th day of March, 2013, before me, a notary public in and for said State, personally appeared President, Sara M. Baker, Commissioners, John S. Franden, Rebecca W. Arnold, Mitchell A. Jaurena, and Jim Hansen, and known to me to be the Board of Commissioners, respectively, of the Ada County Highway District and that they executed this instrument on behalf of said Highway District for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

________________________________________
Notary Public for the State of Idaho
Residing at Boise, Idaho
My Commission Expires: ________________

The Ada County Highway District (ACHD) is committed to compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives. ACHD assures that no person shall on the grounds of race, color, national origin, gender, disability or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any ACHD service, program or activity.

Abandonment/Vacation and Exchange Resolution - page 4
(3/29/2010)
February 20, 2013

EXHIBIT C
North Spurwing Way Right-of-Way Dedication

A tract of land located within a portion of Lot 78, Block 1 as shown on the Plat of Spurwing Subdivision, Book 69, Pages 7104-7108, records of Ada County and a portion of Lot 1, Block 1 of Brandt Subdivision, Book 59, Pages 5785-5786, records of Ada County. Said tract being located in a portion of the South ¼ of the South ½ of Section 23, Township 4 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at the Southeast corner of said Section 23, from which the South ¼ corner of said Section 23 bears North 89°38'47" West 2629.97 feet, thence North 89°38'47" West 2526.88 feet along the South line of said Section 23 to a point, thence leaving said South line North 00°21'13" East 100.00 feet to the POINT OF BEGINNING, thence

68.00 feet along a curve to the right; said curve having a radius of 34277.38 feet, a delta angle of 0°06'50", and a chord bearing and distance of North 89°31'58" West 68.00 feet, thence North 00°00'00" East 88.65 feet, thence

129.13 feet along a curve to the right; said curve having a radius of 207.00 feet, a delta angle of 35°44'27", and a chord bearing and distance of North 17°52'14" East 127.04 feet, thence

158.48 feet along a curve to the left; said curve having a radius of 275.00 feet, a delta angle of 33°01'05", and a chord bearing and distance of North 19°13'55" East 156.29 feet, thence

North 02°43'22" East 61.65 feet, thence

359.45 feet along a curve to the left; said curve having a radius of 323.00 feet, a delta angle of 63°45'42", and a chord bearing and distance of North 29°09'29" West 341.19 feet, thence

116.44 feet along a curve to the right; said curve having a radius of 334.00 feet, a delta angle of 19°58'26", and a chord bearing and distance of North 51°03'07" West 115.85 feet, thence

North 41°03'54" West 141.72 feet, thence

North 77°46'01" West 33.08 feet to a point on the Southerly Right-of-Way line of North Pencross Way, thence continuing along said Southerly Right-of-Way line

118.78 feet along a curve to the left; said curve having a radius of 375.00 feet, a delta angle of 18°08'52", and a chord bearing and distance of North 60°41'10" East 118.28 feet, thence leaving said Southerly Right-of-Way line

South 08°12'20" West 36.99 feet, thence

South 41°03'54" East 120.01 feet, thence
42.66 feet along a curve to the left; said curve having a radius of 266.00 feet, a delta angle of 9°11'21'', and a chord bearing and distance of South 45°39'35" East 42.62 feet, thence
South 74°17'15" East 22.88 feet, thence
South 57°22'55" East 29.02 feet, thence
South 32°40'41" East 19.32 feet, thence
389.64 feet along a curve to the right; said curve having a radius of 377.00 feet, a delta angle of 59°13'01'', and a chord bearing and distance of South 26°53'09" East 372.53 feet, thence
South 02°43'22" West 3.84 feet, thence
South 02°59'43" West 92.40 feet, thence
130.36 feet along a curve to the right; said curve having a radius of 325.00 feet, a delta angle of 22°58'55'', and a chord bearing and distance of South 17°11'38" West 129.49 feet, thence
134.17 feet along a curve to the left; said curve having a radius of 268.00 feet, a delta angle of 28°41'05'', and a chord bearing and distance of South 14°20'33" West 132.78 feet, thence
South 00°00'00" West 86.12 feet to the POINT OF BEGINNING.

Said tract of land contains approximately 66,586 square feet, or 1.529 acres more or less.
February 28, 2013

EXHIBIT B
North Long Lake Way
Temporary Public Right-of-Way Easement

An easement located within a portion of Lot 78, Block 1 as shown on the Plat of Spurwing Subdivision, Book 69, Pages 7104-7108, records of Ada County and a portion of Lot 1, Block 1 of Brandt Subdivision, Book 59, Pages 5785-5786, records of Ada County. Said easement being located in a portion of the Southwest ¼ of the Southeast ¼ of Section 23, Township 4 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at the Southeast corner of said Section 23, from which the South ¼ corner of said Section 23 bears North 89°38'47" West 2629.97 feet, thence North 89°38'47" West 2596.90 feet along the South line of said Section 23 to a point, thence leaving said South line North 00°21'13" East 40.00 feet to the Southwest corner of said Lot 1 and the North Right-of-Way line of West Chinden Boulevard (US HWY 20/26); said Southwest corner also being the POINT OF BEGINNING, thence continuing along said North Right-of-Way line

22.89 feet along a curve to the right; said curve having a radius of 34337.48 feet, a delta angle of 0°02'18", and a chord bearing and distance of North 89°26'53" West 22.89 feet, thence leaving said North Right-of-Way line
North 00°26'21" East 6.97 feet, thence
North 52°02'03" East 31.90 feet, thence
North 00°00'00" East 33.17 feet, thence
South 89°38'47" East 68.00 feet, thence
South 00°00'00" West 33.63 feet, thence
South 50°56'48" East 31.99 feet, thence
South 00°26'21" West 6.37 feet to said North Right-of-Way line, thence continuing along said North Right-of-Way line
North 89°38'47" West 95.11 feet to the POINT OF BEGINNING.

Said easement contains approximately 4,912 square feet, or 0.11 acres more or less.
February 27, 2013

EXHIBIT B
North Spurwing Way Right-of-Way Vacation

A tract of land being a portion of North Spurwing Way as shown on the Plat of Spurwing Subdivision, Book 69, Pages 7104-7108, records of Ada County located in a portion of the Southeast ¼ of the Southwest ¼ of Section 23, Township 4 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at the Southwest corner of said Section 23, thence South 89°11'21" East 2081.47 feet along the South line of said Section 23, also being the centerline of West Chinden Boulevard (US HWY 20/26), to the intersection of said centerline of West Chinden Boulevard and the centerline of said North Spurwing Way as shown on said Plat of Spurwing Subdivision, thence leaving said South line and said centerline of West Chinden Boulevard North 0°48'56" East 40.00 feet to a point on a line common to Ada County Highway District Right-of-Way and Idaho Transportation Department Right-of-Way, said point also being the POINT OF BEGINNING, thence continuing along said line common to Ada County Highway District Right-of-Way and Idaho Transportation Department Right-of-Way

North 89°11'21" West 97.00 feet to the East boundary line of Lot 4, Block 1 as shown on said Plat of Spurwing Subdivision, said East boundary line also being the West Right-of-Way line of said North Spurwing Way, thence continuing along said East boundary line and said West Right-of-Way line

78.54 feet along a curve to the left; said curve having a radius of 50.00 feet, a delta angle of 90°00'00", and a chord bearing and distance of North 45°48'56" East 70.71 feet, thence

North 0°48'56" East 120.00 feet, thence

North 2°08'52" East 215.06 feet, thence

North 0°48'56" East 417.11 feet, thence

96.47 feet along a curve to the left; said curve having a radius of 408.00 feet, a delta angle of 13°32'52", and a chord bearing and distance of North 5°57'29" West 96.25 feet, thence leaving said East boundary line and said West Right-of-Way line

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Civil Engineering • Surveying
South 90°00'00" East 73.53 feet to a point on the East Right-of-Way line of said North Spurwing Way, said point also being on the boundary line of Lot 78, Block 1 as shown on said Plat of Spurwing Subdivision, thence continuing along said East Right-of-Way line and said boundary line of Lot 78

97.23 feet along a curve to the right; said curve having a radius of 480.00 feet, a delta angle of 11°36'20", and a chord bearing and distance of South 4°59'13" East 97.06 feet, thence

South 0°48'56" West 417.11 feet, thence

South 0°31'00" East 215.06 feet, thence

South 0°48'56" West 108.00 feet, thence

78.54 feet along a curve to the left; said curve having a radius of 50.00 feet, a delta angle of 90°00'00", and a chord bearing and distance of South 44°11'04" East 70.71 feet, thence continuing along said boundary line of Lot 78

South 89°11'04" East 148.98 feet, thence

South 86°27'21" East 250.26 feet, thence leaving said boundary line of Lot 78 and continuing along said line common to Ada County Highway District Right-of-Way and Idaho Transportation Department Right-of-Way

74.50 feet along a curve to the right; said curve having a radius of 34337.48 feet, a delta angle of 0°07'27", and a chord bearing and distance of North 89°15'51" West 74.50 feet, thence

North 89°11'21" West 409.46 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM:
Lot 1, Block 3, Lot 1, Block 4 and Lot 1, Block 5 of said Plat of Spurwing Subdivision.

Said tract of land contains approximately 66,702 square feet, or 1.531 acres more or less.