TO: ACHD Board of Commissioners &
    Bruce S Wong, Director

FROM: Summer Day
      Right-of-Way Technician, Right-of-Way Department

SUBJECT: Vacation of Public Right-of-Way - Acceptance of an application to vacate a portion of the Old Section of Floating Feather Road West of N Lanewood Road and South of existing W Floating Feather Road. Located in the SW¼ of Section 2 and the NW¼ of Section 11, T4N, R1W, Boise Meridian, Ada County, Idaho

CONSENT AGENDA ITEM – August 7, 2013 Commission Meeting

FACTS & FINDINGS:

1. ACHD received a petition and application for the vacation of the above-referenced right-of-way from Civil Innovations, PLLC representing the property owners, Horseshoe Flats, LLC and Legacy Community Association, Inc. The parcel being requested for vacation is a dedicated road from Road Book 1 at Page 426. This was originally dedicated to Ada County, but the road was then built to the north. (Attachment 1) The area being requested for vacation is a parcel never used by ACHD and is currently closed to the public.

2. Horseshoe Flats, LLC and Legacy Community Association, Inc. is requesting this vacation to clear any road dedications for an upcoming plat (Snoqualmie Falls Sub. No. 3) (Attachment 2). The area being proposed for vacation encompasses approximately 1.29 acres or 56,097 sf of land.

FISCAL IMPACT:

1. The Applicant has paid the $1,000 fee required for application.
2. Valuation for vacation estimated to be $1,683.00.
3. Recommendation for no appraisal because appraisal would cost more than the land is worth.
RECOMMENDATION:

Staff recommends that the Board of Commissioners accept and approve the application for Vacation of the portion of W. Floating Feather Road and approve the following dates for the Public Hearing and the advertising schedule for the said Vacation.

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
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<tbody>
<tr>
<td>Notify owners within 300 ft</td>
<td>August 8, 2013</td>
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<tr>
<td>Publish dates of Public Hearing</td>
<td>August 27, August 28 and September 4, 2013</td>
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<tr>
<td>Date of Public Hearing</td>
<td>September 11, 2013</td>
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Attachments:

1 - Application letter from Civil Innovations, PLLC
2 - Depiction of proposed vacation parcel of parcel to be vacated
3 - Vacation site map
4 - Public Hearing Notice

CC: ACHD ROWDS Files
    Civil Innovations, PLLC
July 1, 2013

Mr. Gary Inselman
Ada County Highway District
3775 Adams Street
Garden City, ID 83714

Re: Right-of-Way Vacation Request

Dear Gary,

On behalf of the property owners below, please accept this petition for vacation of public right-of-way. The existing right-of-way was originally dedicated to Ada County for the construction of Floating Feather Road west of Linder Road as described in Road Book 1 at Page 426.

There is currently no existing or proposed public road in this location as Floating Feather Road was constructed further to the north. Moreover, to the best of our knowledge neither ACHD nor the Ada County Assessor show the property as public right-of-way. We believe that the existing right-of-way has no value to the public and should be vacated.

The owners of the subject property are:

Parcel #S04U2333250
Horseshoe Flats, LLC
3858 N. Garden Center Way, Ste. 200
Boise, ID 83703
(208) 345-9100

Parcel #R8020680080
Legacy Community Association, Inc.
3858 N. Garden Center Way, Ste. 200
Boise, ID 83703
(208) 345-9100

Justin Martin
Member
Horseshoe Flats, LLC

Ben Thomas
Director
Legacy Community Association, Inc.
Should you have questions or need any additional information regarding this request please don't hesitate to contact us.

Sincerely,

Ben Thomas, PE

Enclosures (ACHD Vacation Checklist)

1. Pre-Application neighborhood meeting sign in sheet and proof of mailing
2. Application fee of $1,000
3. This letter shall serve as the required petition
4. Legal Description of the proposed vacation
5. No appraisal required per e-mail correspondence
6. Contact information for the applicants representative is included in this letter
7. Statement of reasons for vacation included in this letter
8. Map showing location of proposed vacation
9. There is no real property to be reverted
10. Letter from Idaho Power regarding this vacation
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN, that the Board of Commissioners of the Ada County Highway District will hold a public hearing in accordance with the provisions of the Idaho Code, to consider the vacation and abandonment of:

Vacation / Exchange – Vacate Public Right of Way known as Floating Feather Rd which will be vacated to Horseshoe Flats, LLC and Legacy Community Association, Inc. located in the SW1/4 of Section 2 and NW1/4 Sec11, Township 4 N, Range 1 W, Boise Meridian, Boise City, Idaho

DESCRIPTION FOR
FLOATING FEATHER ROAD VACATION AT
SNOQUALMIE FALLS SUBDIVISION NO.4

A parcel of land begin a portion of the right of way of Floating Feather road as described on Page 426 of the Ada County Road Book, Volume 1, located in the Southwest quarter of Section 2 and Northwest quarter of Section 11, Township 4 North, Range 1 West of the Boise Meridian, City of Eagle, Ada County, Idaho, being more particularly described as follows:

Commencing at the Northeast corner of the Northwest quarter (North quarter corner) of Section 11, Township 4 North, Range 1 West, Boise Meridian
Thence North 89°15'20" West 25.00 feet to the Real Point of Beginning of this description;
Thence South 01°00'54" West 25.02 feet to a point on a line twenty five (25) feet south of and parallel to the north line of the Northwest quarter of Section 11, Township 4 North, Range 1 West, Boise Meridian;
Thence North 89°12'08" West 1314.80 feet along said south line to a point on a line twenty five (25) feet west of and parallel to the east line of the Southwest quarter of the Southwest quarter of Section 2, Township 4 North, Range 1 West, Boise Meridian extended;
Thence North 00°54'47" East 513.77 feet along said west line to a point on the proposed south right of way of Floating Feather Road, being a line forty (40) feet south of and parallel to the centerline of Floating Feather Road;
Thence South 89°17'11" East 50.00 feet along said proposed right of way to a point on a line twenty five (25) feet east of and parallel to the west line of the Southeast quarter of the Southwest quarter of Section 2, Township 4 North, Range 1 West, Boise Meridian;
Thence South 00°54'47" West 463.85 feet along said East line to a point on a line twenty five (25) feet north of and parallel to the south line of the Southeast quarter of the Southwest quarter of Section 2, Township 4 North, Range 1 West, Boise Meridian;
Thence South 89°12'08" East 439.34 feet along said north line to a point on the boundary of proposed Snoqualmie Falls Subdivision No. 3;
Alone the boundaries of Snoqualmie Falls Subdivision No. 3 and Snoqualmie Falls Subdivision No. 1 the following:
Thence South 01°00'26" West 46.86 feet to a point;
Thence North 89°53'19" East 771.85 feet to a point;
Thence North 48°02'35" East 14.12 feet to a point;
Thence South 89°15'20" East 43.50 feet to the Real Point of Beginning of the description, said parcel containing 56,097 Sq.Ft. (1.29 Acres) more or less

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

The public hearing will be held in the Office of the Ada County Highway District, 3775 Adams Street, Garden City, Idaho 83714, on September 11, 2013 at 12:00 p.m., or as soon thereafter as the matter may be heard.

Anyone wishing further information concerning this vacation and abandonment should refer to the petition requesting said action, on file in the office of the Ada County Highway District.

ADA COUNTY HIGHWAY DISTRICT

By: ________________________________

Bruce S. Wong, Director

Publication Dates: August 27, and 28 and September 4, 2013