

421914

ORDINANCE NO. 1457

AN ORDINANCE OF THE CITY OF PAYETTE, IDAHO, VACATING A PUBLIC SEWER EASEMENT LOCATED ON A PARCEL OF LAND LOCATED IN SECTION 3, TOWNSHIP 8 NORTH, RANGE 5 WEST, BOISE MERIDIAN, SITUATED IN SE ¼ NW ¼ OF WESTSLOPE PLAT, A PORTION OF LOT 39; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION BY SUMMARY.

WHEREAS, the Payette City Council has determined, and hereby finds, that the 17' wide Public Sewer Easement located in a portion Lot 39, being a portion of the SE1/4 NW 1/4 of Section 3, Township 8 North, Range 5 West, of Westslope Plat is no longer necessary for the public interest; and

WHEREAS, the Payette City Council finds it appropriate to vacate the sewer public easement located in Lot 39 being a portion of the SE1/4 NW/14 Section 3, Township 8 North, Range 5 West, of Westslope Plat.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAYETTE, IDAHO:

Section 1: The City of Payette hereby vacates sewer easement "See Attached"

Section 2: This ordinance shall be in full force and effect from and after its passage and publication according to law.

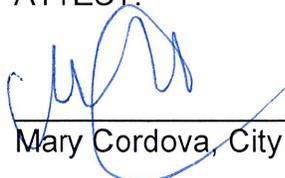
Section 3: This ordinance may be published in summary form in accordance with the statutes of the State of Idaho.

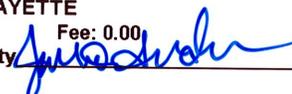
PASSED AND ADOPTED BY THE PAYETTE CITY COUNCIL AND APPROVED BY THE MAYOR THIS 7<sup>th</sup> DAY OF May, 2019.

APPROVED:

  
Jeffrey T. Williams, MAYOR

ATTEST:

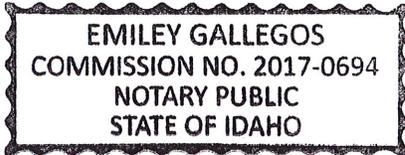
  
Mary Cordova, City Clerk

**Instrument # 421914**  
STATE OF IDAHO, PAYETTE COUNTY  
7-2-2019 01:33:21 PM No. of Pages: 7  
Recorded for : CITY OF PAYETTE  
BETTY J DRESSEN Fee: 0.00  
Ex-Officio Recorder Deputy   
Index to: ORDINANCE - MISC

421914

State of Idaho            )  
                                  : ss.  
County of Payette        )

On this 07 day of May, in the year of 2019, before me Emiley Gallegos a notary public, personally appeared MARY CORDOVA and JEFFREY T. WILLIAMS, personally known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same on behalf of the City of Payette in their official capacities as Mayor and City Clerk.



Emiley Gallegos  
Notary Public for Idaho  
Residing at: Canyon County  
Commission expires: March 22 22



Sawtooth Land Surveying, LLC

421914

P: (208) 398-8104 F: (208) 398-8105  
2030 S. Washington Ave., Emmett, ID 83617

April 3, 2019

EXHIBIT A

Abandonment Sewer Easement Description

**BASIS OF BEARINGS** for this legal description is North 0°17'41" East between the C1/4 corner and the CN1/16 of Section 3, T. 8 N., R. 5 W., B.M., City of Payette, Payette County, Idaho.

A 17.00' wide strip of land being a portion of Lot 39, of the assessors official plat of Westslope, Book 1 of Plats, Page 35, Payette County Records, located in the SE1/4 of the NW1/4 of Section 3, T. 8 N., R. 5 W. of the B.M., City of Payette, Payette County, Idaho, more particularly described as follows;

**COMMENCING** at a found brass cap marking the CN1/16 corner of Section 3;

Thence North 89°56'29" West, coincident with the north line of the SE1/4 of the NW1/4 of Section 3, a distance of 57.06 feet to the west right of way of S.H. 95;

Thence South 0°01'23" East, coincident with said west right of way of S.H. 95, a distance of 616.38 feet;

Thence North 89°52'06" West, 281.50 feet;

Thence South 0°01'23" East, parallel with said west right of way of S.H. 95, a distance of 1.79 feet to the **POINT OF BEGINNING**

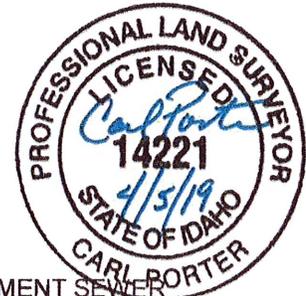
Thence North 89°58'37" East, 17.00 feet;

Thence South 0°01'23" East, parallel with said west right of way of S.H. 95, a distance of 312.24 feet;

Thence North 89°24'59" West, 17.00 feet;

Thence North 0°01'23" West, Parallel with said West right of way if S.H. 95, a distance of 312.06 feet to the **POINT OF BEGINNING**.

The above described parcel contains 0.12 acres more or less.



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EXHIBIT B

CN1/16 COR., SEC. 3  
CPF 271195

P.O.B. L1 L2

N 89°52'06" W 281.50'

N 89°56'29" W

57.06'

616.38'  
S 0°01'23" E

ILLEGIBLE  
FND S 70°55'36" W 2.37'

0.12± Acres

N 0°01'23" W 312.06'  
S 0°01'23" E 312.24'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 0°01'23" E	1.79'
L2	N 89°58'37" E	17.00'
L3	N 89°24'59" W	17.00'

S 16TH ST (S.H. 95)  
N 0°17'41" E 1272.88'  
BASIS OF BEARINGS



C1/4 COR.  
CPF 220381

NTS

L3

<b>PROJECT:</b> ABANDON CITY WATER/SEWER EASEMENT PIRATE LANDING SUBDIVISION	<b>OWNER/DEVELOPER:</b> BK PROPERTY MANAGEMENT, LLC 404 S. 8TH SUITE 188 BOISE, ID 83702 (208) 440-4463	 2030 S. WASHINGTON AVE. EMMETT, ID 83617 P: (208) 398-8104 F: (208) 398-8105 WWW.SAWTOOTHLS.COM	DWG # 18197-FP
	DATE: 4/2019		PROJECT# 18197

421914

BK Property Development, LLC  
PO Box 220  
New Plymouth, Idaho 83655

April 15, 2019

Denise Rueschhoff  
City of Payette  
700 Center Ave  
Payette, Idaho 83661

**SUBJECT: Request to Vacate Sewer Easement  
Highway 95, Payette, Idaho**

Dear Denise:

As you know we are moving forward with construction of the Pirate Landing Subdivision project. As part of this construction, we are proposing to relocate and replace an existing sewer main that is located south of Dollar Tree. The purpose of this letter is to request that the City vacate the portion of existing sewer easement for the line that will be abandoned.

Feel free call me at 208-440-4463 if you have any questions or need additional information.

Respectfully,



4-16-19

Robert C. Goodwin  
*Member*  
**BK Property Development, LLC**

cc: Aspen Engineers File: 18043



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Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105  
2030 S. Washington Ave., Emmett, ID 83617

April 3, 2019

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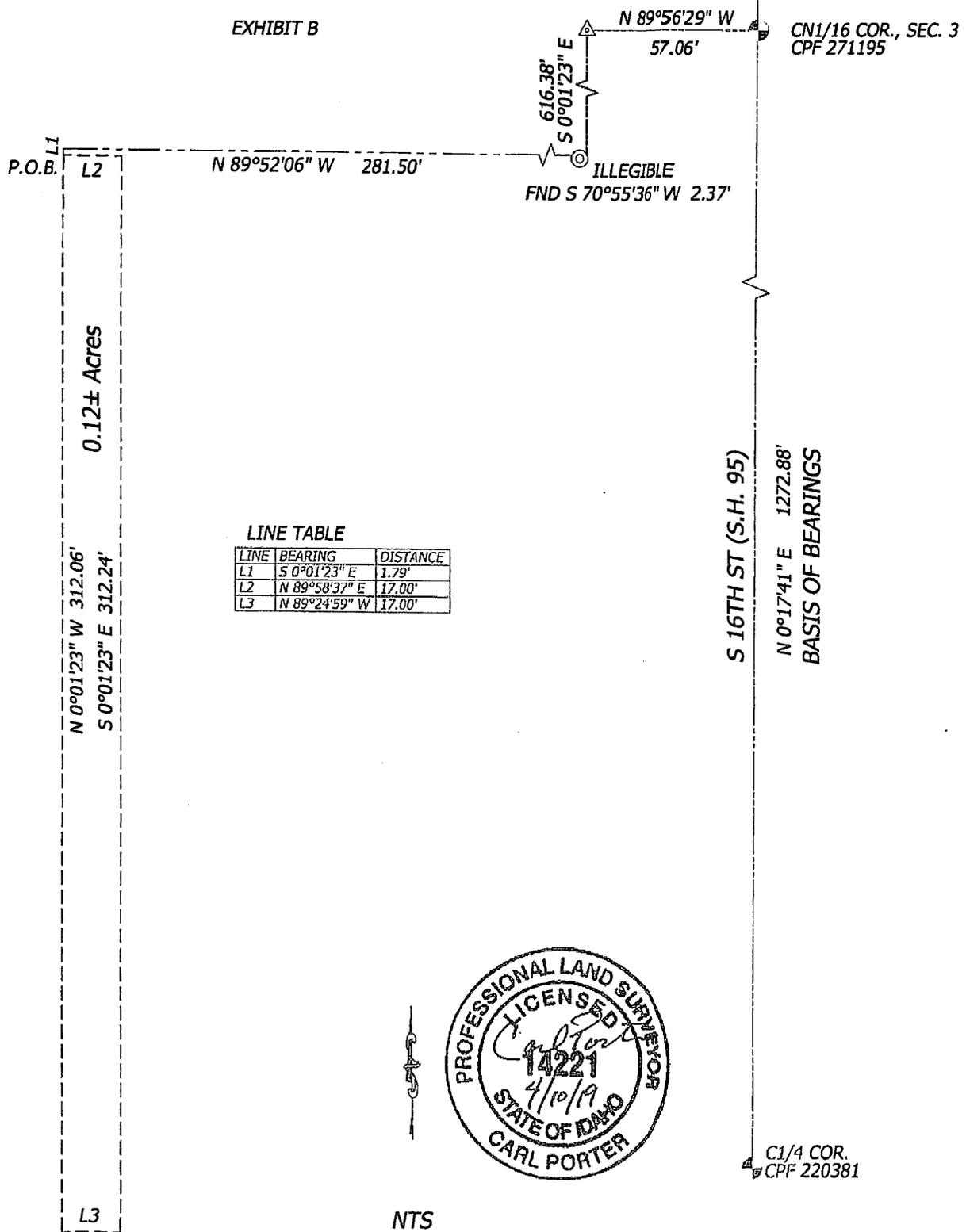
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1/4 COR.  
CPF 220381

NTS

PROJECT:  
ABANDON CITY WATER/SEWER  
EASEMENT  
PIRATE LANDING SUBDIVISION

OWNER/DEVELOPER:  
BK PROPERTY  
MANAGEMENT, LLC  
404 S. 8TH SUITE 188  
BOISE, ID 83702  
(208) 440-4463  
DATE: 4/2019

  
2030 S. WASHINGTON AVE.  
EMMETT, ID 83617  
P: (208) 398-8104  
F: (208) 398-8105  
WWW.SAWTOOTHLS.COM

DWG #  
18197-FP  
PROJECT#  
18197  
SHEET  
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