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INTER-OFFICE MEMO

Legal

April 2, 2026

To: Ryan Head, Director

From: Steve Price 

Subject: Magic View Drive Closure

You have asked the Legal Department to review the City of Meridian's proposal, dated March 27, 2026 regarding the closure of Magic View Drive near the intersection of N. Thornwood Way.

The City's proposal is to close one (1) of two entrances to the Snorting Bull Subdivision Phase 2 (Woodbridge Subdivision). The Woodbridge Subdivision was platted on approximately May 15, 2002, which dedicated Magic View Drive to be an **open** public right of way. Magic View Drive has been an **open** public right of way since the approval of the Plat.

Idaho Code 40-2319 provides clear guidance for questions regarding the closure of **open** public rights of way. Specifically, the statute provides as follows:

40-2319. ENCROACHMENTS — REMOVAL — NOTICE — PENALTY FOR FAILURE TO REMOVE — REMOVAL BY COUNTY OR HIGHWAY DISTRICT — ABATEMENT. (1) If any highway or public right-of-way under the jurisdiction of a county or highway district is encroached upon by gates, fences, buildings, or otherwise, the appropriate county or highway district may require the encroachment to be removed.

(2) If the county or highway district has actual notice of an encroachment that is of a nature as to effectually obstruct and prevent the use of an open highway for vehicles or is unsafe for pedestrian or motorist use of an open highway, the county or highway district shall immediately cause the encroachment to be removed without notice.

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Pursuant to Idaho Code 40-2319, ACHD has an affirmative duty to prohibit encroachments that obstruct and/or prevent the use of an **open** highway for vehicles or is unsafe for pedestrians or motorists. The Woodbridge Subdivision Plat dedicated Magic View Drive as an **open** public right of way in 2002. The open status of that public right of way has never changed.

The proposal to install bollards to restrict and/or obstruct the future use of the Magic View Drive public right of way will violate Idaho Code 40-2319. ACHD is prohibited from authorizing the installation of any bollards in this circumstance.

Let me know if you have any questions or concerns.

Steve Price

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