

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 4/19/2022

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
208-489-0573

SUBJECT: H-2022-0021
Sky Mesa Highlands No. 1 - VAC

LOCATION: 3045 E. Brace Ct., in the SE 1/4 of
Section 32, T.3N., R.1E.



I. PROJECT DESCRIPTION

Request to vacate the easterly 5 feet of the 10-foot wide utility easement along the west boundary of Lot 19, Block 1, Sky Mesa Highlands Subdivision No. 1.

II. APPLICANT INFORMATION

A. Applicant:

Becky Yzaguirre, JUB Engineering, Inc. – 250 S. Beechwood Dr., Boise, ID 83709

B. Owner:

Sky Mesa Development, LLC – 1025 S. Bridgeway Pl., Eagle, ID 83616

C. Representative:

Same as Applicant

III. UNIFIED DEVELOPMENT CODE

Per UDC [Table 11-5A-2](#), vacation of a utility easement falls under “all others”, which requires approval from City Council at a public hearing.

IV. NOTICING

	City Council Posting Date
Newspaper Notification	4/3/2022

Radius notification mailed to
properties within 300 feet

4/4/2022

Next Door posting

4/5/2022

V. STAFF ANALYSIS

The Applicant requests approval to vacate the easterly 5 feet of the 10-foot wide utility easement along the west boundary of Lot 19, Block 1, Sky Mesa Highlands Subdivision No. 1. The recorded plat depicts a 10-foot wide utility easement on the west side yard instead of the intended 5-foot easement.

A legal description and exhibit map of the portion of the easement proposed to be vacated is included in Section VI below.

[Relinquishment letters](#) were received from Century Link, City of Meridian Public Works Dept., Idaho Power, Intermountain Gas Company, Boise Project Board of Control & New York Irrigation District, Cable One Inc. dba Sparklight, and TDS Telecom for the portion of the easement proposed to be vacated.

VI. DECISION

A. Staff:

Staff recommends approval of the vacation of the eastern portion of the public utility easement as proposed by the Applicant and as agreed upon by the easement holders.

VII. EXHIBIT

Legal Description & Exhibit Map of the Portion of the Utility Easement Proposed to be Vacated



Exhibit "A"
Sky Mesa Highlands Subdivision No. 1
Lot 19 Block 1 Partial Easement Vacation
Legal Description

Project No. 10-20-082 March 3, 2022

A portion of the tract of land shown as Lot 19 of Block 1 on the Plat of Sky Mesa Highlands Subdivision No. 1 recorded in Book 121 of Plats at Pages 19016 through 19028, Ada County Records, hereinafter referred to as "Sky Mesa 1", and being situate in the southeast quarter of Section 32, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, County of Ada, State of Idaho, and being more particularly described as follows:

Commencing at the southeast corner of said Section 32; thence from said Point of Commencement, North 00°13'37" East, coincident with the east line of said Section 32, a distance of 1,338.07 feet to the south sixteenth corner on said east line; thence leaving said east line, the following seven consecutive courses and distances:

1. North 89°48'42" West, a distance of 40.00 feet to a 5/8-inch rebar with a yellow plastic cap stamped, "J-U-B 16642", marking the northeasterly corner of said Sky Mesa 1,
2. continuing North 89°48'42" West, coincident with the northerly boundary line of said Sky Mesa 1, a distance of 647.34 feet to a 5/8-inch rebar with a yellow plastic cap stamped, "J-U-B 16642", marking the intersection of said northerly boundary line with the centerline of the road shown as S. Cubola Way on said Sky Mesa 1,
3. leaving said northerly boundary line, South 00°13'44" West, coincident with said centerline, a distance of 186.93 feet to a 5/8-inch rebar with a yellow plastic cap stamped, "J-U-B 16642" marking the centerline intersection of said centerline with the centerline of the road shown as E. Brace Court on said Sky Mesa 1,
4. South 89°48'22" East, coincident with the centerline of said E. Brace Court, a distance of 194.30 feet,
5. leaving said centerline, South 00°11'38" West, a distance of 30.00 feet to a 5/8-inch rebar with a yellow plastic cap stamped, "J-U-B 16642" marking the northeasterly corner of Lot 20 of Block 1 as shown on said Sky Mesa 1,
6. continuing South 00°11'38" West, coincident with the easterly line of said Lot 20, a distance of 10.00 feet to a 5/8-inch rebar with a yellow plastic cap stamped, "J-U-B 16642" marking the southeasterly corner of said Lot 20, and

7. leaving said easterly line, South 89°48'22" East, a distance of 5.00 feet to a point on a line lying 5.00-feet easterly of and parallel with the westerly line of Lot 19 of Block 1 as shown on said Sky Mesa 1, said point being the **Point of Beginning** of this description;

thence from said **Point of Beginning**, South 00°11'38" West, coincident with said parallel line, a distance of 107.54 feet; thence leaving said parallel line, North 75°32'42" East, a distance of 5.17 feet to a point on a line lying 10.00-feet easterly of and parallel with the westerly line of said Lot 19; thence North 00°11'38" East, coincident with said parallel line, a distance of 106.23 feet to a point on a line lying 10.00 feet southerly of and parallel with the northerly line of said Lot 19; thence North 89°48'22" West, coincident with said parallel line, a distance of 5.00 feet to the **Point of Beginning**.

Containing an area of 534 square feet of land, more or less.

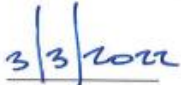
The above-described tract of land is shown on Exhibit "B" attached hereto and made a part hereof.

End of Description.

J-U-B ENGINEERS, Inc.

This description was prepared by me or under my direct supervision. If any portion of this description is modified or removed (including, but not limited to, the graphic portion shown on Exhibit "B") without the express written consent of Timothy Harrigan, PLS, all professional liability associated with this document is hereby declared null and void.


Timothy Harrigan, PLS 17665


Date



\\jub.com\Central\Clients\ID\Boise\HuntHomes\Projects\10-20-082_SkyMesaHighlandsSub\Design\Legacy\Draw\10-20-082_UtilityEasmtVacate.dwg, 03/03/22 10:15:49am, tharrigan

LEGEND

	- SECTION CORNER
	- QUARTER CORNER
	- MONUMENT
	- DIMENSION POINT
POC	- POINT OF COMMENCEMENT
POB	- POINT OF BEGINNING
	- SECTION LINE
	- TIE LINE
	- EXISTING PROPERTY LINES
	- EXISTING UTILITY EASEMENT LINES
	- PORTION OF UTILITY EASEMENT TO BE VACATED

LINE TABLE		
NO.	BEARING	DIST.
L1	N89°48'42"W	40.00'
L2	S00°11'38"W	30.00'
L3	S00°11'38"W	10.00'
L4	S89°48'22"E	5.00'
L5	S00°11'38"W	107.54'
L6	N75°32'42"E	5.17'
L7	N00°11'38"E	106.23'
L8	N89°48'22"W	5.00'



12/3
3/3/2022

EXHIBIT "B"



SKY MESA HIGHLANDS SUBDIVISION NO. 1
LOT 19 BLOCK 1 - PARTIAL EASEMENT VACATION
SITUATE IN THE SOUTHEAST QUARTER OF SECTION 32, T3N, R1E,
BOISE MERIDIAN, CITY OF MERIDIAN, COUNTY OF ADA, STATE OF IDAHO

SHEET
2 OF 2