



CITY OF STAR

LAND USE STAFF REPORT

TO: Mayor & Council

FROM: City of Star Planning Department *Shen T. Muth*

MEETING DATE: June 3, 2025

FILE(S) #: VAC-25-02- Vacation/Reduction of Utility Easements located on Lot 15, Block 7 of Milestone Ranch Subdivision #4

OWNER/APPLICANT/REPRESENTATIVE

APPLICANT/REPRESENTATIVE:

Kyle Prewett
Toll Brothers
3103 W Sheryl Dr Suite 100
Meridian, Idaho 83642

OWNER

Toll West Inc
1140 Virginia Drive
Fort Washington, PA 19034

REQUEST

Request: The Applicant is seeking approval of a vacation of existing utility easements for Lot 15, Block 7 of Milestone Ranch Subdivision #7. The easements being vacated/reduced are permanent easements for public utilities, pressure irrigation and lot drainage.

PROPERTY INFORMATION

Property Location: The subject property is generally located on the northwest corner of W. Floating Feather Road and Highway 16. Ada County Parcel No's. R5712790160.

APPLICATION REQUIREMENTS

Application Submitted & Fees Paid

March 11, 2025

STAFF REVIEW AND RECOMMENDATIONS

Based upon the information provided to staff in the application, staff finds that the proposed vacation of easements meets the requirements, standards and intent of the Comprehensive Plan and Zoning Ordinance. Staff recommends that Council approve the requested vacation as part of their consent agenda.

COUNCIL ACTION

The Council may **approve**, **conditionally approve**, **deny** or **table** this request for vacation of easements.

Council considers the following:

1. This application complies with the framework of Star's Comprehensive Plan;
2. The vacations do not create any landlocked property;
3. The vacations do not restrict access to any parcel;
4. The vacations do not reduce the quality of public services to any parcel of land.

PROPOSED CONDITIONS OF APPROVAL

1. The applicant shall comply with all requirements of the City Engineer.
2. The applicant shall comply with any requirements of the Star Sewer & Water District.

COUNCIL DECISION

The Star City Council _____ File VAC-25-02 Easement Vacation for Lot 15, Block 7 of Milestone Ranch Subdivision #4 on _____, 2025.



VACATION APPLICATION

***All information must be filled out to be processed.

| |
|--|
| FILE NO.: _____ |
| Date Application Received: _____ Fee Paid: _____ |
| Processed by: City: _____ |

Applicant Information:

PRIMARY CONTACT IS: Applicant ☒ Owner ☐ Representative ☐

Applicant Name: Kyle Prewett (Toll Brothers)
Applicant Address: 3103 W Sheryl Dr. STE 100, Meridian, ID Zip: 83642
Phone: 831.801.9724 Fax: _____ Email: kprewett@tollbrothers.com

Owner Name: BHEG Milestone Ranch LLC
Owner Address: 501 Office Center Dr. STE 350, Fort Washington, PA Zip: 19034
Phone: _____ Fax: _____ Email: _____

Representative (e.g., architect, engineer, developer):
Contact: Same as Applicant Firm Name: _____
Address: _____ Zip: _____
Phone: _____ Fax: _____ Email: _____

Property Information:

Site Location: 8735 W Stillmore St., Star, ID 83669
Parcel Number(s): R5712790160
Approved Zoning Designation: MU

Application Requirements:

(Applications are required to contain one copy of the following unless otherwise noted.)

| Applicant (✓) | Description | Staff (✓) |
|-------------------------------------|--|--------------|
| <input checked="" type="checkbox"/> | Pre-application meeting with the Planning Department required prior to neighborhood meeting. | |
| <input checked="" type="checkbox"/> | Copy of neighborhood meeting notice sent to property owners within 300' and meeting sign-in sheet. (Applicants are required to hold a neighborhood meeting to provide an opportunity for public review of the proposed project prior to the submittal of an application.) | |
| <input checked="" type="checkbox"/> | Completed and signed Vacation Application | |
| <input checked="" type="checkbox"/> | Fee | |
| <input checked="" type="checkbox"/> | If the signature on this application is not the owner of the property, an original notarized statement (Affidavit of Legal Interest) from the owner stating the applicant is authorized to submit this application is required. | |

| | | |
|---|--|--|
| ✓ | Narrative fully describing the proposed request including the following: <ul style="list-style-type: none"> • Particular circumstances regarding the request to vacate • Names of the persons affected by the proposed vacation | |
| ✓ | Relinquishment of easement letters from the applicable parties (e.g. public utilities: phone, power, gas, cable, applicable irrigation and/or drainage entity, etc.) | |
| ✓ | Legal description of platted area or property to be vacated (with engineers seal). <ul style="list-style-type: none"> • Submit two (2) paper and one (1) electronic copy | |
| ✓ | Copy of recorded deed. FINAL PLAT | |
| ✓ | One (1) 8 ½" X 11" vicinity map showing the location of subject property | |
| ✓ | Two (2) 11" X 17" copies of site plan or plat showing the proposed vacation | |
| | Names and addresses, printed on address labels, of property owners within three hundred feet (300') of the external boundaries of the property being considered as shown on record in the County Assessor's office. | |
| ✓ | Two (2) Electronic versions of the site plan or plat showing the easement proposed to be vacated and vicinity map in PDF format submitted on disks with the files named with project name and plan type. We encourage you to also submit at least one color version for presentation purposes. | |
| | Signed Certification of Posting with pictures. (see attached posting requirements and certification form) | |
| ✓ | Submit (1) 11" X 17" and (1) 18" X 24" recorded copy of Plat to the Star City Planning Department prior to any building permits being issued. | |

FEE REQUIREMENT:

*** I have read and understand the above requirements. I further understand fees are due at the time of filing. I understand that there may be other fees associated with this application incurred by the City in obtaining reviews or referrals by architect, engineering, or other professionals necessary to enable the City to expedite this application. I understand that I, as the applicant, am responsible for all payments to the City of Star.*

Kyle Prewett

2/28/25

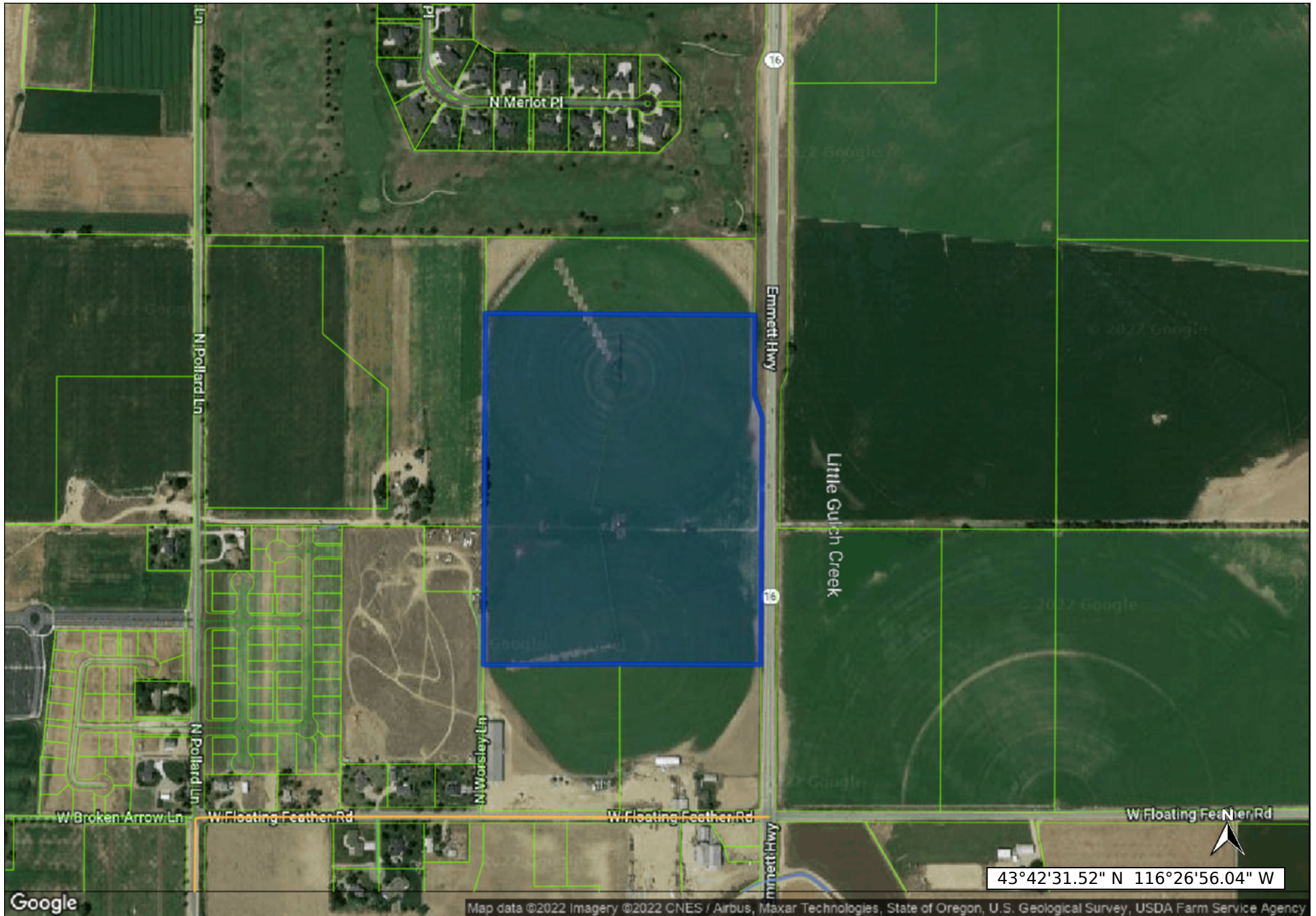
Applicant/Representative Signature

Date

****Note:** All presentation boards, material boards, and documentation that are a part of the public hearing shall become property of the City of Star.

Milestone Ranch No 4

Vicinity Map



MILESTONE RANCH SUBDIVISION NO. 4

BOOK ____ , PAGE ____

A PORTION OF LOT 2, BLOCK 1, HOOT NANNEY FARMS SUBDIVISION
LOCATED IN THE NW 1/4 OF THE SE 1/4 AND THE SW 1/4 OF THE NE 1/4 OF SECTION 4,
T.4N., R.1W., B.M., CITY OF STAR, ADA COUNTY, IDAHO
2022

LEGEND

| | | | |
|--|--|-------|--|
| | FOUND ALUMINUM CAP MONUMENT | ----- | SECTION LINE |
| | FOUND BRASS CAP MONUMENT | ----- | CENTER LINE |
| | FOUND 1/2" REBAR WITH PLS 11118 PLASTIC CAP, OR AS NOTED | ----- | ADA COUNTY HIGHWAY DISTRICT STORM DRAINAGE EASEMENT LINE SEE NOTE 10 |
| | FOUND 5/8" REBAR WITH PLS 11118 PLASTIC CAP, OR AS NOTED | ----- | ADA COUNTY HIGHWAY DISTRICT PERMANENT EASEMENT, INSTRUMENT NO. _____ |
| | SET 1/2" REBAR WITH PLS 11118 PLASTIC CAP | ----- | PUBLIC UTILITY, PRESSURE IRRIGATION & LOT DRAINAGE EASEMENT LINE - SEE NOTES 1 & 2 |
| | SET 5/8" REBAR WITH PLS 11118 PLASTIC CAP | ----- | OTHER EASEMENT LINE AS NOTED |
| | CALCULATED POINT, NOT SET | ----- | SUBDIVISION BOUNDARY LINE |
| | LOT NUMBER | ----- | LOT LINE |
| | RECORD DATA | ----- | ADJACENT PROPERTY LINE |
| | SURVEY TIE LINE | ----- | |

NOTES

- ALL LOT LINES COMMON TO PUBLIC STREETS ARE HEREBY DESIGNATED TO HAVE A SIXTEEN (16) FOOT PERMANENT EASEMENT FOR PUBLIC UTILITIES, PRESSURE IRRIGATION AND LOT DRAINAGE, UNLESS OTHERWISE SHOWN. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF PROPER HARD-SURFACED DRIVEWAYS AND WALKWAYS FOR ACCESS TO EACH INDIVIDUAL LOT.
- ALL LOTS ARE HEREBY DESIGNATED AS HAVING A FIVE (5) FOOT PERMANENT EASEMENT ON EACH SIDE OF THE INTERIOR SIDE LOT LINES, AND TEN (10) FOOT PERMANENT EASEMENT CONTIGUOUS TO ALL REAR LOT LINES AND SUBDIVISION BOUNDARY, FOR PUBLIC UTILITIES, PRESSURE IRRIGATION, AND LOT DRAINAGE, UNLESS OTHERWISE SHOWN. ALL OTHER EASEMENTS ARE AS SHOWN.
- MINIMUM BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE CITY OF STAR APPLICABLE ZONING AND SUBDIVISION REGULATIONS AT THE TIME OF ISSUANCE OF INDIVIDUAL BUILDING PERMITS OR AS SPECIFICALLY APPROVED AND/OR REQUIRED, OR AS SHOWN ON THIS PLAT.
- ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RESUBDIVISION.
- IRRIGATION WATER HAS BEEN PROVIDED BY THE FARMERS UNION DITCH COMPANY IN COMPLIANCE WITH IDAHO CODE SECTION 31-3805(1)(b). LOTS WITHIN THE SUBDIVISION SHALL BE ENTITLED TO IRRIGATION WATER FROM THESE IRRIGATION ENTITIES, TO BE DELIVERED TO LOTS THROUGH A PRESSURIZED IRRIGATION SYSTEM OWNED AND MAINTAINED BY THE HOMEOWNER ASSOCIATION. THE HOMEOWNER ASSOCIATION WILL BE SUBJECT TO ASSESSMENTS BY SAID IRRIGATION ENTITY.
- MAINTENANCE OF ANY IRRIGATION OR DRAINAGE PIPE OR DITCH CROSSING A LOT SHALL BE THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/DRAINAGE ENTITY OR THE HOMEOWNER ASSOCIATION.
- LOT 24, BLOCK 4; LOT 16, BLOCK 7; LOT 7, BLOCK 11; LOT 6, BLOCK 12 AND LOT 1, BLOCK 16 ARE DESIGNATED AS COMMON LOTS AND SHALL BE OWNED AND MAINTAINED BY THE MILESTONE RANCH SUBDIVISION HOMEOWNER'S ASSOCIATION, OR ITS ASSIGNS. SAID LOTS ARE COVERED BY BLANKET EASEMENTS FOR PUBLIC UTILITIES, IRRIGATION AND LOT DRAINAGE.
- THIS DEVELOPMENT RECOGNIZES IDAHO CODE SECTION 22-4503, RIGHT TO FARM ACT, WHICH STATES "NO AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF SHALL BE OR BECOME A NUISANCE, PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER IT HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION, FACILITY OR EXPANSION WAS NOT A NUISANCE AT THE TIME IT BEGAN OR WAS CONSTRUCTED. THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHEN A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENT OPERATION OF AN AGRICULTURAL OPERATION, AGRICULTURAL FACILITY OR EXPANSION THEREOF."
- THIS SUBDIVISION IS SUBJECT TO THE TERMS OF A DEVELOPMENT AGREEMENT RECORDED AS INSTRUMENT NO. 2022-014198, RECORDS OF ADA COUNTY, IDAHO.
- LOT 6, BLOCK 12 AND PORTIONS OF LOTS 5, 7 AND 8, BLOCK 12 AS SHOWN HEREON ARE SERVIENT TO AND CONTAIN THE ADA COUNTY HIGHWAY DISTRICT STORM WATER DRAINAGE SYSTEM. THESE LOTS ARE ENCUMBERED BY THAT CERTAIN MASTER PERPETUAL STORM WATER DRAINAGE EASEMENT RECORDED ON NOVEMBER 10, 2015 AS INSTRUMENT NO. 2015-103256, OFFICIAL RECORDS OF ADA COUNTY, AND INCORPORATED HEREIN BY THIS REFERENCE AS IF SET FORTH IN FULL (THE "MASTER EASEMENT"). THE MASTER EASEMENT AND THE STORM WATER DRAINAGE SYSTEM ARE DEDICATED TO ADA COUNTY HIGHWAY DISTRICT PURSUANT TO SECTION 40-2302, IDAHO CODE THE MASTER EASEMENT IS FOR THE OPERATION AND MAINTENANCE OF THE STORM WATER DRAINAGE SYSTEM.
- THIS SUBDIVISION IS SUBJECT TO THE TERMS OF AN ADA COUNTY HIGHWAY DISTRICT TEMPORARY LICENSE AGREEMENT RECORDED AS INSTRUMENT NO. _____, RECORDS OF ADA COUNTY, IDAHO.

| LINE TABLE | | |
|------------|---------|-------------|
| LINE # | LENGTH | BEARING |
| L1 | 25.00' | N0°55'29"E |
| L2 | 25.00' | N0°55'29"E |
| L3 | 37.58' | N41°20'50"W |
| L4 | 23.47' | S23°23'15"W |
| L5 | 14.41' | S23°23'14"W |
| L6 | 36.81' | N43°11'48"E |
| L7 | 14.14' | N45°55'29"E |
| L8 | 14.14' | N45°55'29"E |
| L9 | 21.21' | S44°04'31"E |
| L10 | 7.07' | S44°04'31"E |
| L11 | 14.14' | S45°55'29"W |
| L12 | 14.14' | S45°55'29"W |
| L13 | 14.14' | N44°04'31"W |
| L14 | 14.14' | N44°04'31"W |
| L15 | 25.00' | S0°48'31"W |
| L16 | 25.00' | S0°48'31"W |
| L17 | 25.00' | S89°04'31"E |
| L18 | 25.00' | S89°04'31"E |
| L19 | 25.00' | N0°55'29"E |
| L20 | 25.00' | N0°55'29"E |
| L21 | 25.00' | N0°55'29"E |
| L22 | 25.00' | N0°55'29"E |
| L23 | 10.00' | N89°04'31"W |
| L24 | 10.00' | N89°04'31"W |
| L25 | 55.00' | N89°04'31"W |
| L26 | 55.00' | N89°04'31"W |
| L27 | 219.64' | S0°55'29"W |
| L28 | 181.08' | S0°55'29"W |
| L29 | 233.59' | S0°55'29"W |
| L30 | 29.00' | S0°48'31"W |
| L31 | 10.00' | S0°48'31"W |
| L32 | 10.00' | S0°48'31"W |
| L31 | 20.00' | S0°55'29"W |

| CURVE TABLE | | | | |
|-------------|--------|--------|-----------|-------------|
| CURVE # | LENGTH | RADIUS | DELTA | BEARING |
| C1 | 25.47' | 46.00' | 31°43'13" | N11°35'49"W |
| C2 | 36.93' | 30.00' | 70°31'43" | S34°20'23"E |
| C3 | 44.27' | 60.00' | 42°16'19" | S69°47'20"W |
| C4 | 49.98' | 60.00' | 47°43'41" | S24°47'20"W |
| C5 | 49.98' | 60.00' | 47°43'41" | S22°56'22"E |
| C6 | 44.27' | 60.00' | 42°16'19" | S67°56'22"E |
| C7 | 27.32' | 36.00' | 43°28'52" | S22°39'55"W |
| C8 | 17.91' | 36.00' | 28°30'32" | S27°05'34"E |
| C9 | 26.29' | 85.00' | 17°43'08" | S82°03'55"W |
| C10 | 19.47' | 30.00' | 37°11'25" | S88°11'57"E |
| C11 | 27.85' | 35.00' | 45°35'05" | S68°07'57"W |
| C12 | 27.13' | 35.00' | 44°24'55" | S23°07'57"W |
| C13 | 16.36' | 46.00' | 20°22'22" | N14°26'58"E |

| CURVE TABLE | | | | |
|-------------|--------|--------|-----------|-------------|
| CURVE # | LENGTH | RADIUS | DELTA | BEARING |
| C14 | 30.17' | 85.00' | 20°20'20" | S14°27'59"W |
| C15 | 5.00' | 85.00' | 3°22'20" | S2°36'39"W |
| C16 | 5.00' | 85.00' | 3°22'20" | S0°45'41"E |
| C17 | 30.17' | 85.00' | 20°20'20" | S12°37'01"E |
| C18 | 26.39' | 46.00' | 32°52'10" | N6°21'07"W |
| C19 | 15.43' | 46.00' | 19°13'26" | N19°41'41"E |
| C20 | 22.79' | 46.00' | 28°22'55" | S15°06'57"W |
| C21 | 29.48' | 26.00' | 64°58'16" | S33°24'37"W |
| C22 | 20.69' | 26.00' | 45°35'56" | S88°41'43"W |
| C23 | 25.51' | 85.00' | 17°11'52" | S77°06'15"E |
| C24 | 5.00' | 85.00' | 3°22'20" | S87°23'21"E |
| C25 | 27.85' | 35.00' | 45°35'05" | S66°16'58"E |
| C26 | 27.13' | 35.00' | 44°24'55" | S21°16'58"E |

SURVEYOR'S NARRATIVE

THE BOUNDARY FOR THIS SUBDIVISION WAS DEVELOPED FROM SURVEYED TIES TO CONTROLLING SECTION CORNER MONUMENTATION, THE PLATTED SUBDIVISION BOUNDARIES OF HOOT NANNEY FARMS SUBDIVISION, WORSLEY'S FOLLY SUBDIVISION, MILESTONE RANCH SUBDIVISION NO. 1, INFORMATION FROM RECORD OF SURVEY NUMBERS 1205, 4931, 5321, 5716, 6981, 12518, AND CURRENT DEEDS OF RECORD. THE SURVEYED MONUMENTATION AND CONTROLLING BOUNDARIES FIT THE RECORDS WELL AND WERE ACCEPTED TO ESTABLISH THE BOUNDARY FOR THIS SUBDIVISION SHOWN HEREON.

Toll Brothers
AMERICA'S LUXURY HOME BUILDER®

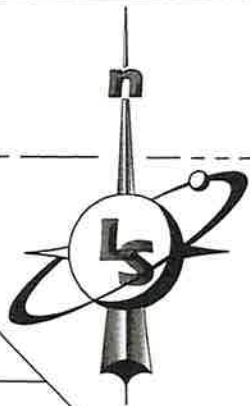
LandSolutions
Land Surveying and Consulting
231 E. 5TH STREET, MERIDIAN ID 83642
(208) 288-2040 www.landsolutions.biz



MILESTONE RANCH SUBDIVISION NO. 4

EASEMENT VACATION/REDUCTION - LOT 15, BLOCK 7

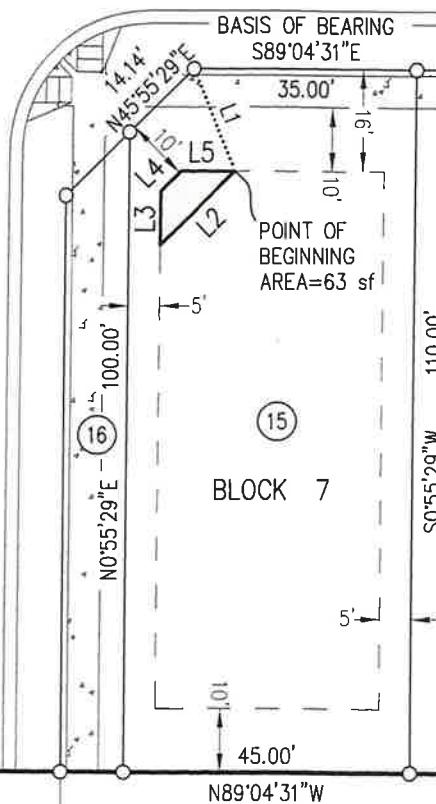
LOCATED IN THE NW 1/4 OF THE SE 1/4 AND THE SW 1/4 OF THE NE 1/4
OF SECTION 4, T4N, R1W, BM, CITY OF STAR, ADA COUNTY, IDAHO



W. STILLMORE ST.

| LINE TABLE | | |
|------------|--------|-------------|
| LINE # | LENGTH | BEARING |
| L1 | 17.32' | S21°34'31"E |
| L2 | 16.44' | S45°55'29"W |
| L3 | 8.49' | N0°55'29"E |
| L4 | 4.44' | N45°55'29"E |
| L5 | 8.49' | S89°04'31"E |

N. OAKMAN AVE.



MILESTONE RANCH SUBDIVISION NO. 1
BK 126 PGS 20283-20286



LandSolutions
Land Surveying and Consulting

231 E 5TH ST., STE. A
MERIDIAN, ID 83642
(208) 288-2040 (208) 288-2557 fax
www.landsolutions.biz

JOB NO. 20-88

Legal Description
Milestone Ranch Subdivision No. 4
Public Utilities, Pressure Irrigation, Lot Drainage Easement Vacation
Lot 15, Block 7

A Parcel being a portion of the platted Public Utilities, Pressure Irrigation, and Lot Drainage Easement as shown on Lot 15, Block 7 of Milestone Ranch Subdivision No. 4 as shown in Book 127 of Plats on Pages 20586 through 20588, records of Ada County, Idaho, being located in the NW ¼ of the SE ¼ and the SW ¼ of the NE ¼ of Section 4, Township 4 North, Range 1 West, Boise Meridian, City of Star, Ada County, Idaho, more particularly described as follows:

EASEMENT VACATION – LOT 15, BLOCK 7

Commencing at a point marking the northwest corner of said Lot 15 of Block 7, from which a point marking the northeast corner of said Lot 15 bears S 89°04'31" E a distance of 35.00 feet;

Thence S 21°34'31" E a distance of 17.32 feet to the **POINT OF BEGINNING**;

Thence S 45°55'29" W a distance of 16.44 feet to a point;

Thence N 0°55'29" E a distance of 8.49 feet to a point;

Thence N 45°55'29" E a distance of 4.44 feet to a point;

Thence S 89°04'31" E a distance of 8.49 feet to the **POINT OF BEGINNING**.

Said parcel contains 63 square feet, more or less.

Clinton W. Hansen, PLS
Land Solutions, PC
August 16, 2024





8/27/2024

BHEG Milestone Ranch LLC
8735 W Stillmore St
Star, ID 83669

No Objection/ Reservations

SUBJECT: EASEMENT VACATION
W STILLMORE ST & N OAKMAN AVE, STAR, ID
MILESTONE RANCH SUB NO 04 – LOT 15 BLOCK 07
S4/T4N/R1W - ADA COUNTY PARCEL R5712790160

To Whom it May Concern:

Qwest Corporation d/b/a CENTURYLINK, QC ("CenturyLink") has reviewed the request for the subject vacation and has determined there are no CenturyLink facilities within the area as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference

It is the intent and understanding of CenturyLink that this vacation shall not reduce our rights to any other existing easements or rights we have on this site or in the area.

This No objection response is submitted WITH THE STIPULATIONS that IF CenturyLink facilities are found and/or damaged within the area as described, the Applicant will bear the cost of relocation (relocations@centurylink.com) and/or repair of said facilities.

POC - VeShon Sheridan
NIS| Right-of-Way Agent II | Contractor - Faulk & Foster
804-234-6825 / VeShon.Sheridan@Lumen.com
Nre.easement@lumen.com

Sincerely yours,

ROW Team
Network Infrastructure Services
CenturyLink
P863149



September 16, 2024

Kyle Prewett
Toll Brothers
3103 W Sherl Dr., #100
Meridian, ID 83642

**Re: Star Sewer and Water District
Milestone Ranch Phase 4 Easement Vacation**

Dear Mr. Prewett

The District has reviewed request the Easement Vacation for the Milestone Ranch Phase 4 for conformance with the Star Sewer and Water District policies and procedures as well as are Standard Specifications. The District has reviewed and approved the revised recorded easements for the Star Crest Ranch and as a result are willing to relinquish the previous easements for this property.

Upon completion of our review the District finds your proposal to vacate said easement acceptable.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Ryan V. Morgan'.

Ryan V. Morgan, P.E.
District Engineer

EASEMENT RELINQUISHMENT

By signing below, I hereby agree to the relinquishment of any and all interest in a portion of the easement described in the attached documents that was originally reserved by Milestone Ranch Subdivision No. 4, recorded in Book 127 of Plats on Pages 20586 through 20588, records of Ada County, Idaho, by and for Public Utilities, Pressure Irrigation, and Lot Drainage, and certify that I have the vested authority to execute this request in the name of Intermountain Gas

By: 

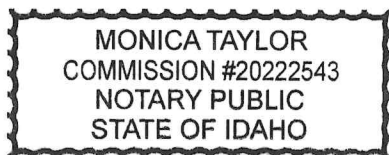
Title: Operations Field Supervisor II

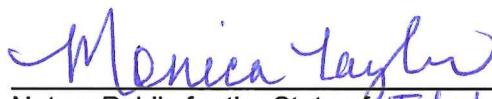
Date: 1-29-2025

State of Idaho)
County of Canyon) SS

On this 29th day of January, 2025, before me, the undersigned, a Notary Public in and for said state, personally appeared Domingo Enrico, known or identified to me to be the Operations Field Supervisor II of the Corporation known as Intermountain Gas, who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said Corporation's name.

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
Nampa, Idaho
Residing at
5-26-2028
Commission Expires

EASEMENT RELINQUISHMENT

By signing below, I hereby agree to the relinquishment of any and all interest in a portion of the easement described in the attached documents that was originally reserved by Milestone Ranch Subdivision No. 4, recorded in Book 127 of Plats on Pages 20586 through 20588, records of Ada County, Idaho, by and for Public Utilities, Pressure Irrigation, and Lot Drainage, and certify that I have the vested authority to execute this request in the name of CABLEONE DBA SPARKLIGHT

By: ATR

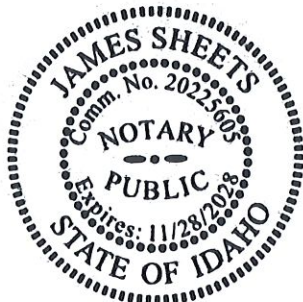
Title: Sr Regional Director, NW

Date: FEB 13, 2025

State of Idaho)
County of Ada) SS

On this 13th day of February, 2025, before me, the undersigned, a Notary Public in and for said state, personally appeared Amanda Moore, known or identified to me to be the Sr Regional Director NW of the Corporation known as Sparklight, who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said Corporation's name.

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



[Signature]
Notary Public for the State of Idaho
Boise, ID
Residing at
11/28/2028
Commission Expires

EASEMENT RELINQUISHMENT

By signing below, I hereby agree to the relinquishment of any and all interest in a portion of the easement described in the attached documents that was originally reserved by Milestone Ranch Subdivision No. 4, recorded in Book 127 of Plats on Pages 20586 through 20588, records of Ada County, Idaho, by and for Public Utilities, Pressure Irrigation, and Lot Drainage, and certify that I have the vested authority to execute this request in the name of Silver Star

By: _____

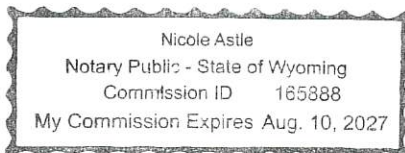
Title: President

Date: January 30, 2025

State of Wyoming)
) SS
County of Lincoln)

On this 30th day of January, 2025, before me, the undersigned, a Notary Public in and for said state, personally appeared Barbara Sessions, known or identified to me to be the President of the Corporation known as Silver Star, who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said Corporation's name.

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



Nicole Astle
Notary Public for the State of Wyoming

180 N. Main Thayne WY 83127
Residing at

Aug. 10, 2027
Commission Expires

February 27, 2025

Sent via email to: kprewett@tollbrothers.com

Applicant: Kyle Prewett
c/o Toll Brothers

Location Info: Lot 15, Block 7, Milestone Ranch No. 4
Parcel(s): R5712790160

Dear Kyle:

This is in response to your application dated **4/29/24** (project ID 108481) regarding the possible relinquishment of a public utility easement (PUE) located as noted above.

- The attached Exhibit(s) more specifically identify the requested area for relinquishment.

 X We have no Utilities within the described Public Utility Easement (PUE) to be relinquished and do not object to the relinquishment.

 We have Utilities within the described Public Utility Easement (PUE) to be relinquished and require the PUE to support continued use, maintenance and/or relocation of such Utilities.

Specifications:

Sincerely,



Megan Kelly
Associate Real Estate Specialist
Idaho Power Company | Corporate Real Estate
208-388-2972 | mkelly@idahopower.com

1221 W. Idaho St (83702)
P.O. Box 70
Boise, ID 83707

Kyle Prewett

From: Ryan Morgan <rmorgan@staridaho.org>
Sent: Wednesday, February 19, 2025 10:34 AM
To: Kyle Prewett; Ryan Field; Shawn Nickel
Cc: Martin Taylor; Hannah Shurance; Barbara Norgrove
Subject: RE: Farmer's Union Ditch Company - Easement Vacation Approval

Follow Up Flag: Follow up
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Kyle,

We reviewed this in our staff meeting this morning, we are okay with this for Milestone Ranch.

Ryan V. Morgan; P.E., CFM
City Engineer
City of Star
P.O. Box 130
Star, ID 83669
208-286-7247 x3002



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From: Kyle Prewett <kprewett@tollbrothers.com>

Sent: Tuesday, February 18, 2025 10:21 AM

To: Ryan Morgan <rmorgan@staridaho.org>; Ryan Field <rfield@staridaho.org>; Shawn Nickel <snickel@staridaho.org>

Cc: Martin Taylor <mtaylor1@tollbrothers.com>; Hannah Shurance <HShurance@tollbrothers.com>; Barbara Norgrove <bnorgrove@staridaho.org>

Subject: Farmer's Union Ditch Company - Easement Vacation Approval

Good Morning All,

I am reaching out regarding Farmers Union Ditch Company's approval of easement vacations associated with Milestone Ranch. FUDC has issued approval of one easement vacation that has also been approved by the City (Lot 8, Block 3; Lots 8 & 10, Block 5, of Phase 3). I have reached out to FUDC for their approval for two further vacations in Milestone Ranch (Lot 2 of Block 3, Phase 3 and Lot 15 of Block 7, Phase 4), but I have so far not been successful in establishing correspondence with them or received their approval for these vacations. I will also need their approval of vacations that will likely be needed for lots located in Phase 6.

Andy Waldera with Sawtooth Law responded to my first vacation approval request for FUDC and in his response he noted that FUDC has no interest in these easements as a threshold matter, as shown below and on the attached. Given this response, could this correspondence be used as a blanket approval for current vacation requests and any future requests, **just for Milestone Ranch specifically?**

Regardless, FUD has no objection to the request because FUD has no easement interest in the property at issue. Th own, operate, or maintain and lateral ditches off of the Canal.

I guess what I am driving at is I do not see the need for the Company to "agree" to the partial vacation of an easem

Please let me know your thoughts.

Thank you,

Kyle Prewett
Land Entitlement Manager, Idaho
Toll Brothers
3103 W Sheryl Dr, #100, Meridian, Idaho 83642
Office: (208) 576-3625 | Cell: (831) 801-9724



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Kyle Prewett

From: Andy Waldera <andy@sawtoothlaw.com>
Sent: Friday, September 20, 2024 3:47 PM
To: Kyle Prewett; farmers.union.ditch@gmail.com
Cc: Martin Taylor; Hannah Shurance
Subject: RE: Milestone Ranch Subdivision No. 3 - Lot 8, Block 3; Lot 8, Block 5; & Lot 10, Block 5 - PUID Easement Vacation

Follow Up Flag: Follow up
Flag Status: Flagged

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Hello Kyle.

Tried calling your office line, but got VM.

Regardless, FUD has no objection to the request because FUD has no easement interest in the property at issue. The Canal is well to the north and FUD does not own, operate, or maintain and lateral ditches off of the Canal.

I guess what I am driving at is I do not see the need for the Company to "agree" to the partial vacation of an easement it has no interest in as a threshold matter.

Please call with any questions.

Thanks,
Andy

Andrew J. Waldera
SAWTOOTH LAW OFFICES, PLLC
andy@sawtoothlaw.com
www.sawtoothlaw.com

Telephone: (208) 629-7447 ext. 216
Facsimile: (208) 629-7559
P.O. Box 7985, Boise, Idaho, 83707



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From: Kyle Prewett <kprewett@tollbrothers.com>
Sent: Monday, September 16, 2024 9:29 AM
To: farmers.union.ditch@gmail.com; Andy Waldera <andy@sawtoothlaw.com>
Cc: Martin Taylor <mtaylor1@tollbrothers.com>; Hannah Shurance <HShurance@tollbrothers.com>
Subject: RE: Milestone Ranch Subdivision No. 3 - Lot 8, Block 3; Lot 8, Block 5; & Lot 10, Block 5 - PUID Easement Vacation

Good Morning Andy,

I'm following up on the voicemail I left you this morning regarding the Milestone Ranch No. 3 easement vacation request that was submitted to FUDC in April. FUDC informed me that it would be best to reach out to you for an update.

I would also like to clarify the request. The surveyor for the project clarified that the easements I described in the notice, a 1-foot portion of the 16-foot PUID easement encumbering the *eastern* boundary of the subject lots, was an inaccurate depiction of the actual easements that encumber the subject lots. The common lots adjacent to the lots subject to the application, Lot 9, Block 3, and Lot 9, Block 5, are encumbered by the 16-foot easement since they have lot lines common to public streets, however, the common lots are only 10 feet wide in this area and the easements do not encroach past their lot area. For this reason, the buildable subject lots have a separate 6-foot PUID easement on the eastern lot line adjacent to the common lots, so that joint trench still had 16 feet of easement area total.

Please let me know if you have any questions or need further information.

Thank you,

Kyle Prewett

Land Entitlement Manager, Idaho

Toll Brothers

3103 W Sheryl Dr, #100, Meridian, Idaho 83642

Office: (208) 576-3625 | Cell: (831) 801-9724



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From: Hannah Shurance <HShurance@tollbrothers.com>

Sent: Thursday, July 25, 2024 11:46 AM

To: Kyle Prewett <kprewett@tollbrothers.com>; farmers.union.ditch@gmail.com

Cc: Martin Taylor <mtaylor1@tollbrothers.com>

Subject: RE: Milestone Ranch Subdivision No. 3 - Lot 8, Block 3; Lot 8, Block 5; & Lot 10, Block 5 - PUID Easement Vacation

Good morning,

I am following up on the email below. Please let me know if you have any questions for me regarding this. If not, could you please respond with approval via email or by signing the form in the below email.

Thanks,

Hannah Shurance

Assistant Land Development Manager

Toll Brothers

3103 W Sheryl Dr, #100, Meridian, Idaho 83642

Cell: (520) 870-4501



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From: Kyle Prewett <kprewett@tollbrothers.com>

Sent: Monday, April 29, 2024 10:26 AM

To: farmers.union.ditch@gmail.com

Cc: Hannah Shurance <HShurance@tollbrothers.com>; Martin Taylor <mtaylor1@tollbrothers.com>

Subject: Milestone Ranch Subdivision No. 3 - Lot 8, Block 3; Lot 8, Block 5; & Lot 10, Block 5 - PUID Easement Vacation

Good Morning,

Please see the attached notice of Toll Brothers' intent to vacate a 1' portion of the existing 16' public utility, pressure irrigation, and lot drainage easement encumbering Lot 8, Block 3; Lot 8, Block 5; and Lot 10, Block 5 of Milestone Ranch Subdivision No. 3.

If the proposed vacation is acceptable, could you please sign the attached relinquishment form and return it to me at your earliest convenience? If needed, I can provide you with a pre-paid shipping label to ship the relinquishment form back to me. The City of Star also allows email correspondence to act as approval of the vacation if that is your preference.

Please let me know if you have any questions or concerns.

Thank you,

Kyle Prewett

Land Entitlement Manager, Idaho

Toll Brothers

3103 W Sheryl Dr, #100, Meridian, Idaho 83642

Office: (208) 576-3625 | Cell: (831) 801-9724



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