



# CITY OF STAR

## LAND USE STAFF REPORT

**TO:** Mayor & Council

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

**MEETING DATE:** March 5, 2024 – PUBLIC HEARING

**FILE(S) #:** VAC-23-02- Vacation of Utility Easements Trapper Ridge Subdivision/New Hope Subdivision

### OWNER/APPLICANT/REPRESENTATIVE

**Property Owner:**

Challenger Development, Inc. &  
Endurance Holdings, LLC  
1977 E. Overland Road  
Meridian, ID 83642

**Representative:**

Kent Brown  
Kent Brown Planning Services  
3161 E. Springwood Drive  
Meridian, ID 83642

### REQUEST

**Request:** The Applicant is seeking approval of a vacation of existing utility, drainage and irrigation easements within the new Trapper Ridge Subdivision and original New Hope Subdivision. The property is located at 11650 W. New Hope Road in Star, Idaho.

### PROPERTY INFORMATION

**Property Location:** The subject property is generally located north of New Hope Road, west of Brandon Road and east of Munger Road in Star, Idaho; Ada County Parcel R6046660315 & R6046660101.

### APPLICATION REQUIREMENTS

Application Submitted & Fees Paid	December 21, 2023
Application Accepted	January 12, 2024
Legal Notice Published	
Property Posted	February 24, 2024

## HISTORY

May 7, 2019	The Rezone (RZ-18-06) and Preliminary Plat (PP-18-05) for Trapper Ridge Subdivision was approved by the Council.
July 16, 2019	The Final Plat (FP-19-05) for Trapper Ridge Subdivision, Phase 1 was approved by the Council.
April 21, 2020	The Final Plat (FP-20-06) for Trapper Ridge Subdivision, Phase 2 was approved by the Council.
August 17, 2021	The Final Plat (FP-21-16) for Trapper Ridge Subdivision, Phase 3 was approved by the Council.

## 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. The Council should consider the entire record and testimony presented at their scheduled public hearing prior to rendering its decision on the matter.

## COUNCIL ACTION

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

*Council may consider:*

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 future Final Plats for Trapper Ridge Subdivision shall continue to comply with all conditions of approval for the final plat, along with all statutory requirements of applicable agencies and districts having jurisdiction in the City of Star.
2. The applicant shall comply with all requirements of the City Engineer.
3. Any additional site-specific conditions and considerations as required by Staff or Council.

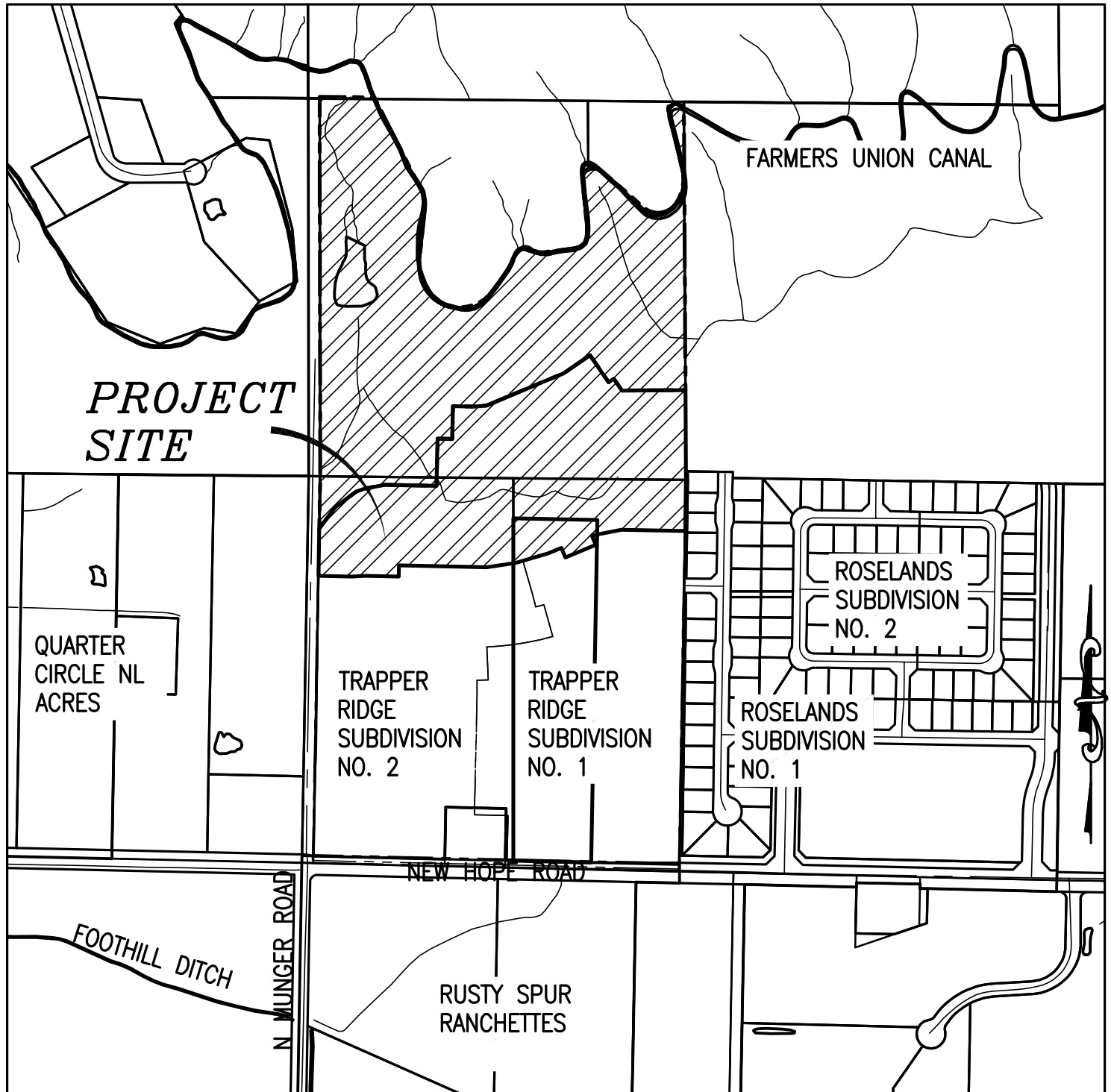
## COUNCIL DECISION

The Star City Council \_\_\_\_\_ File VAC-23-02 Easement Vacation for Trapper Ridge Subdivision/New Hope Subdivision on \_\_\_\_\_, 2024.

# VICINITY MAP FOR TRAPPER RIDGE SUBDIVISION NO. 3

PORTION OF LOTS 1 AND LOT 2, BLOCK 1 OF NEW HOPE SUBDIVISION IN  
SW 1/4 OF THE SE 1/4 OF SECTION 31, T.5N., R.1W AND  
GOVERNMENT LOT 2 IN THE SECTION 6, T.4N., R.1W., BOISE MERIDIAN,  
CITY OF STAR, ADA COUNTY, IDAHO

2020



VICINITY MAP  
1" = 500'

NAVD 1988 DATUM

# KENT BROWN PLANNING SERVICES

December 13, 2023  
City of Star  
PO Box 130  
Star ID 83669

**RE: Request for Vacation of Drainage and Utilities easements in New Hope Subdivision**

Dear Shawn:

The original New Hope Subdivision is in the process of being re-platted into the Trapper Ridge Subdivision. In 2020 and 2021 we were able to record the first two phases of Trapper Ridge Subdivision. The new Trapper Ridge Subdivision easements do not align with the existing easements found in existing New Hope Subdivision and therefore, need to be vacated.

When we started the re-platting process local governing bodies had a different interpretation of State Code regarding when you needed to vacate drainage and utilities easements. As of today's interpretation, we are required to vacate these public utility easements before recording the final two phases of Trapper Ridge Subdivision.

I have attached a copy of the New Hope Subdivision plat and Exhibit A showing the easements we desire to have vacated.

If you have any questions regarding this or anything else feel free to contact me 208-871-6842.

Sincerely,



Kent Brown  
Planner



## VACATION APPLICATION

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

FILE NO.:	<u>VAC 23-02</u>
Date Application Received:	<u>12-21-23</u> Fee Paid: <u>980</u>
Processed by:	City: <u>BN</u>

*Transmitted  
Submitted  
Ryan Morgan  
1-3-24*

*Legal  
Sent  
2-14-24*

### Applicant Information:

**PRIMARY CONTACT IS:** Applicant  Owner  Representative

Applicant Name: Trilogy Idaho Development  
Applicant Address: 9839 W Cable Car Street Suite 101 Boise Idaho Zip: 83709  
Phone: 208-639-7293 Fax: \_\_\_\_\_ Email: shawn@trilogyidaho.com

Owner Name: Challenger Development Inc and Endurance Holdings LLC  
Owner Address: 1977 E Overland Road Meridian Idaho Zip: 83642  
Phone: 208-639-7293 Fax: \_\_\_\_\_ Email: shawn@trilogyidaho.com

Representative (e.g., architect, engineer, developer):  
Contact: Kent Brown Firm Name: Kent Brown Planning Services  
Address: 3161 E Springwood Drive Meridian Idaho 83642 Zip: 83642  
Phone: 208-871-6842 Fax: \_\_\_\_\_ Email: kentkb@gmail.com

### Property Information:

Site Location: 11650 W New Hope Road  
Parcel Number(s): R6046660315 R6046660101  
Approved Zoning Designation: R-3

### Application Requirements:

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

Applicant (v)	Description	Staff (v)
	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 \$980	<input checked="" type="checkbox"/>
	If the signature on this application is not the owner of the property, an <b>original</b> notarized statement (Affidavit of Legal Interest) from the owner stating the applicant is authorized to submit this application is required.	<input checked="" type="checkbox"/>

	Narrative fully describing the proposed request including the following: <ul style="list-style-type: none"> <li>Particular circumstances regarding the request to vacate</li> <li>Names of the persons affected by the proposed vacation</li> </ul>	✓
	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"> <li>Submit two (2) paper and one (1) electronic copy</li> </ul>	
	Copy of recorded deed.	
	One (1) 8 1/2" 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.	N/A
	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" <b>recorded</b> 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.*

Kent Brown  
Applicant/Representative Signature

December 13, 2023  
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.



# NEW HOPE SUBDIVISION

BING A PORTION OF THE SW 1/4 OF THE SE 1/4 OF SECTION 31, T 5 N, R 1 W, AND A PORTION OF US GOV'T. LOT 2, SECTION 6, T 4 N, R 1 W, B.M., ADA COUNTY, IDAHO. 1997

## BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS DRAWING IS THE NORTH LINE OF THE S 1/2 OF THE NE 1/4 OF SECTION 6, T 4 N, R 1 W, B.M. AS SHOWN ON THAT CERTAIN RECORD OF SURVEY NO. 2690, RECORDS OF ADA COUNTY, IDAHO. (R. N874224" W)



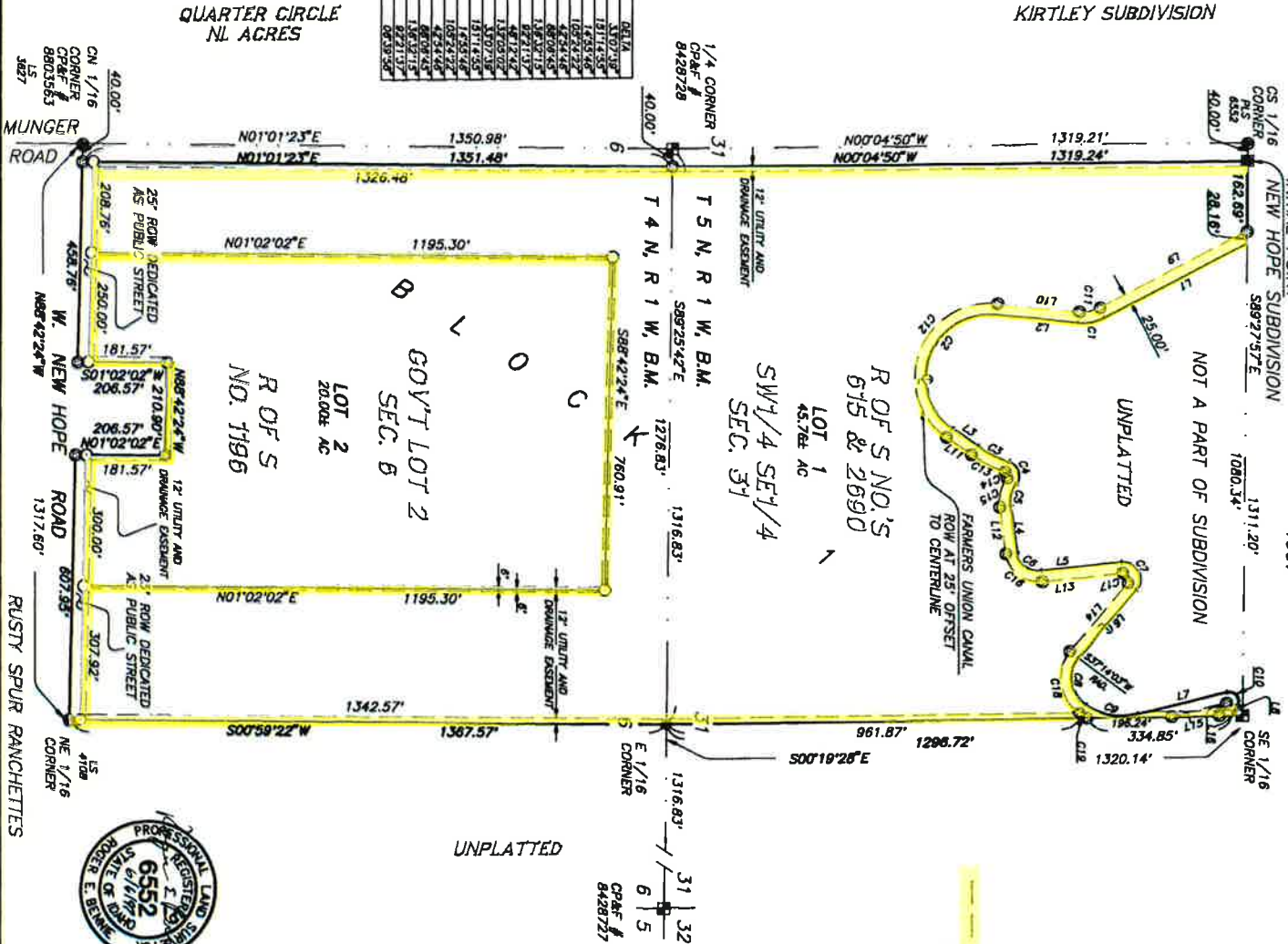
1 Inch = 800 Ft.

FARMERS UNION CANAL  
AND 25' OFFSET LINE  
TANGENT DATA

LINE	DIRECTION	DISTANCE
L1	S 89° 51' 17" W	118.41'
L2	S 89° 51' 17" W	68.99'
L3	N 55° 00' 44" E	107.60'
L4	N 87° 54' 44" E	107.60'
L5	N 02° 11' 17" W	103.88'
L6	S 24° 59' 58" E	204.58'
L7	N 17° 19' 54" W	211.08'
L8	S 89° 51' 17" W	300.02'
L9	S 89° 51' 17" W	188.63'
L10	S 89° 51' 17" W	188.63'
L11	N 55° 00' 44" E	107.60'
L12	N 87° 54' 44" E	107.60'
L13	N 02° 11' 17" W	103.88'
L14	S 24° 59' 58" E	204.58'
L15	N 17° 19' 54" W	211.08'
L16	S 89° 51' 17" W	300.02'
L17	S 89° 51' 17" W	188.63'
L18	S 89° 51' 17" W	188.63'

### CURVE DATA

CURVE	POINTS	LENGTH	CHORD	BEARING	DELTA
C1	108.87'	83.88'	81.07'	S 107° 18' 10" E	130° 12' 30"
C2	143.00'	377.48'	277.04'	S 89° 21' 48" E	131° 17' 53"
C3	208.81'	78.68'	72.48'	N 02° 13' 51" E	142° 53' 48"
C4	48.87'	51.58'	50.58'	S 72° 54' 03" E	142° 53' 48"
C5	50.00'	78.88'	69.54'	N 88° 21' 12" E	142° 53' 48"
C6	38.00'	97.88'	77.48'	N 87° 51' 17" E	142° 53' 48"
C7	74.88'	128.70'	122.98'	N 107° 48' 28" E	142° 53' 48"
C8	150.25'	128.70'	122.98'	N 107° 48' 28" E	142° 53' 48"
C9	22.00'	20.22'	20.22'	N 02° 12' 02" E	131° 02' 02"
C10	44.44'	44.44'	44.44'	N 02° 12' 02" E	131° 02' 02"
C11	168.00'	44.44'	44.44'	N 02° 12' 02" E	131° 02' 02"
C12	336.00'	44.44'	44.44'	N 02° 12' 02" E	131° 02' 02"
C13	504.00'	44.44'	44.44'	N 02° 12' 02" E	131° 02' 02"
C14	672.00'	44.44'	44.44'	N 02° 12' 02" E	131° 02' 02"
C15	840.00'	44.44'	44.44'	N 02° 12' 02" E	131° 02' 02"
C16	1008.00'	44.44'	44.44'	N 02° 12' 02" E	131° 02' 02"
C17	1176.00'	44.44'	44.44'	N 02° 12' 02" E	131° 02' 02"
C18	1344.00'	44.44'	44.44'	N 02° 12' 02" E	131° 02' 02"
C19	1512.00'	44.44'	44.44'	N 02° 12' 02" E	131° 02' 02"
C20	1680.00'	44.44'	44.44'	N 02° 12' 02" E	131° 02' 02"



### LEGEND:

- SET 2"x3" IRON PIPE & ALUMINUM CAP MONUMENT STAMPED INITIAL POINT NEW HOPE SUBDIVISION, PLS 6552
- FOUND ALUMINUM CAP MONUMENT LS 3827
- FOUND 5/8" IRON PIN & PLASTIC CAP AS NOTED
- FOUND 1/2" IRON PIN, REPLACE W/ 5/8" IRON PIN AND PLASTIC CAP STAMPED PLS 6552
- SET 5/8"x30" IRON PIN W/ PLASTIC CAP PLS 6552
- SET 1/2"x24" IRON PIN W/ PLASTIC CAP PLS 6552
- UTILITY AND DRAINAGE EASEMENT
- ROW
- RIGHT OF WAY

### NOTES:

1. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
2. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF ADA COUNTY.
3. ZONING=RR (RURAL RESIDENTIAL)
4. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, WHICH STATES "NO AGRICULTURAL OPERATION OR AN APPLICABLE TO IT SHALL BE OR BECOME A NUISANCE PRIVATE OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SAME SURROUNDING NON-AGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BEGAN. PROVIDED, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROPER OR NEGLIGENCE OPERATION OF ANY AGRICULTURAL OPERATION OR APPLICABLE TO IT."
5. THIS SUBDIVISION IS SUBJECT TO COMPLIANCE WITH IDAHO CODE SECTION 31-3603 CONCERNING IRRIGATION WATER REGULATION TO ALL LOTS WITHIN THE SUBDIVISION WILL BE PROVIDED

### DEVELOPER:

THOMAS G. AND SANDRA L. JOHNSON  
11800 W. NEW HOPE  
STAR, ID. 83669  
(208) 286-7456

### Fischer Land Surveying, Inc

PROFESSIONAL LAND SURVEYING  
404 So. Washington Ave.  
Emmett, Idaho 83617  
Phone: (208) 365-4146





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FARMERS UNION CANAL  
AND 25' OFFSET LINE  
TANGENT DATA

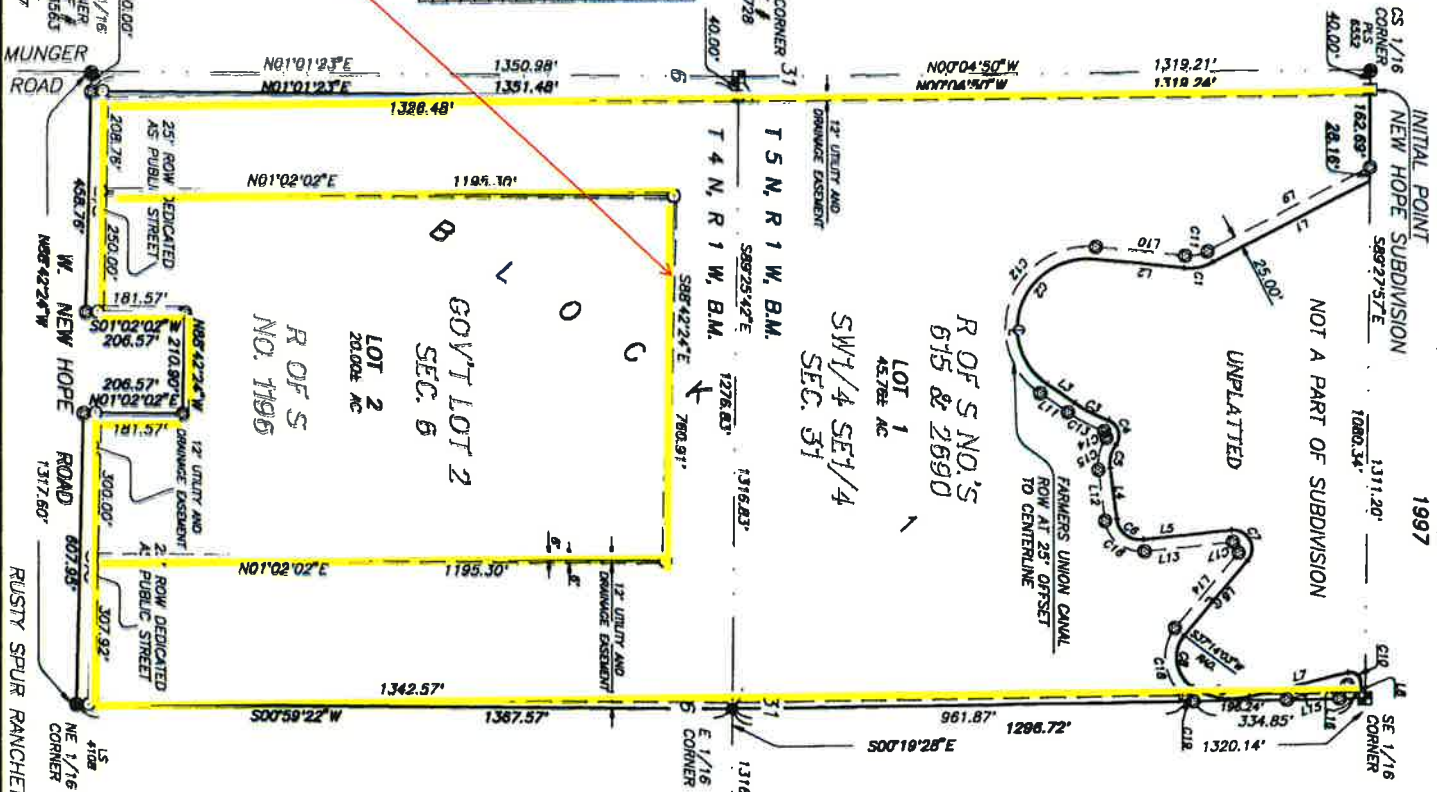
LINE	DESCRIPTION	BEARING	DISTANCE
L1	S08°15'30"W	186.63'	
L2	N45°00'44"E	68.29'	
L3	N62°54'54"E	107.65'	
L4	N05°27'11"W	165.98'	
L5	S24°03'27"E	274.59'	
L6	N11°19'51"W	211.08'	
L7	S32°53'02"E	380.02'	
L8	S08°15'30"W	186.63'	
L9	N45°00'44"E	68.29'	
L10	N62°54'54"E	107.65'	
L11	N05°27'11"W	165.98'	
L12	S24°03'27"E	274.59'	
L13	N11°19'51"W	211.08'	
L14	S32°53'02"E	380.02'	
L15	S08°15'30"W	186.63'	
L16	N45°00'44"E	68.29'	
L17	N62°54'54"E	107.65'	
L18	N05°27'11"W	165.98'	
L19	S24°03'27"E	274.59'	
L20	N11°19'51"W	211.08'	
L21	S32°53'02"E	380.02'	
L22	S08°15'30"W	186.63'	
L23	N45°00'44"E	68.29'	
L24	N62°54'54"E	107.65'	
L25	N05°27'11"W	165.98'	
L26	S24°03'27"E	274.59'	
L27	N11°19'51"W	211.08'	
L28	S32°53'02"E	380.02'	
L29	S08°15'30"W	186.63'	
L30	N45°00'44"E	68.29'	
L31	N62°54'54"E	107.65'	
L32	N05°27'11"W	165.98'	
L33	S24°03'27"E	274.59'	
L34	N11°19'51"W	211.08'	
L35	S32°53'02"E	380.02'	
L36	S08°15'30"W	186.63'	
L37	N45°00'44"E	68.29'	
L38	N62°54'54"E	107.65'	
L39	N05°27'11"W	165.98'	
L40	S24°03'27"E	274.59'	
L41	N11°19'51"W	211.08'	
L42	S32°53'02"E	380.02'	
L43	S08°15'30"W	186.63'	
L44	N45°00'44"E	68.29'	
L45	N62°54'54"E	107.65'	
L46	N05°27'11"W	165.98'	
L47	S24°03'27"E	274.59'	
L48	N11°19'51"W	211.08'	
L49	S32°53'02"E	380.02'	
L50	S08°15'30"W	186.63'	
L51	N45°00'44"E	68.29'	
L52	N62°54'54"E	107.65'	
L53	N05°27'11"W	165.98'	
L54	S24°03'27"E	274.59'	
L55	N11°19'51"W	211.08'	
L56	S32°53'02"E	380.02'	
L57	S08°15'30"W	186.63'	
L58	N45°00'44"E	68.29'	
L59	N62°54'54"E	107.65'	
L60	N05°27'11"W	165.98'	
L61	S24°03'27"E	274.59'	
L62	N11°19'51"W	211.08'	
L63	S32°53'02"E	380.02'	
L64	S08°15'30"W	186.63'	
L65	N45°00'44"E	68.29'	
L66	N62°54'54"E	107.65'	
L67	N05°27'11"W	165.98'	
L68	S24°03'27"E	274.59'	
L69	N11°19'51"W	211.08'	
L70	S32°53'02"E	380.02'	
L71	S08°15'30"W	186.63'	
L72	N45°00'44"E	68.29'	
L73	N62°54'54"E	107.65'	
L74	N05°27'11"W	165.98'	
L75	S24°03'27"E	274.59'	
L76	N11°19'51"W	211.08'	
L77	S32°53'02"E	380.02'	
L78	S08°15'30"W	186.63'	
L79	N45°00'44"E	68.29'	
L80	N62°54'54"E	107.65'	
L81	N05°27'11"W	165.98'	
L82	S24°03'27"E	274.59'	
L83	N11°19'51"W	211.08'	
L84	S32°53'02"E	380.02'	
L85	S08°15'30"W	186.63'	
L86	N45°00'44"E	68.29'	
L87	N62°54'54"E	107.65'	
L88	N05°27'11"W	165.98'	
L89	S24°03'27"E	274.59'	
L90	N11°19'51"W	211.08'	
L91	S32°53'02"E	380.02'	
L92	S08°15'30"W	186.63'	
L93	N45°00'44"E	68.29'	
L94	N62°54'54"E	107.65'	
L95	N05°27'11"W	165.98'	
L96	S24°03'27"E	274.59'	
L97	N11°19'51"W	211.08'	
L98	S32°53'02"E	380.02'	
L99	S08°15'30"W	186.63'	
L100	N45°00'44"E	68.29'	

### CURVE DATA

LINE	BEARING	DISTANCE	CHORD	ANGLE	DATA
C1	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C2	143.00°	377.48'	372.04'	89°1'16"10"	1371.93'
C3	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C4	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C5	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C6	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
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C13	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C14	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C15	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C16	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C17	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C18	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C19	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C20	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C21	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C22	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C23	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C24	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
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C42	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C43	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C44	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C45	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C46	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C47	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C48	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C49	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'
C50	108.82°	69.98'	68.10'	51°0'18"10"	1371.93'

ELLOW HIGHLIGHTED  
LINES ARE THOSE WE ARE  
SEEKING VACATION

QUARTER CIRCLE  
NL ACRES



### LEGEND:

- SET 2"x36" IRON PIPE & ALUMINUM CAP MONUMENT STAMPED INITIAL POINT NEW HOPE SUBDIVISION, PLS 6552.
- FOUND ALUMINUM CAP MONUMENT LS 2627
- FOUND 5/8" IRON PIN & PLASTIC CAP AS NOTED
- FOUND 1/2" IRON PIN, REPLACE W/ 5/8"x30" IRON PIN AND PLASTIC CAP STAMPED PLS 6552
- SET 5/8"x30" IRON PIN W/ PLASTIC CAP PLS 6552
- SET 1/2"x24" IRON PIN W/ PLASTIC CAP PLS 6552
- UTILITY AND DRAINAGE EASEMENT
- ROW
- RIGHT OF WAY

### NOTES:

1. ANY RE-SUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION.
2. BUILDING SETBACKS AND DIMENSIONAL STANDARDS IN THIS SUBDIVISION SHALL BE IN COMPLIANCE WITH THE APPLICABLE ZONING REGULATIONS OF ADA COUNTY.
3. ZONING-RR (RURAL RESIDENTIAL)
4. THIS DEVELOPMENT RECOGNIZES SECTION 22-4503 OF THE IDAHO CODE, WHICH STATES "NO AGRICULTURAL OPERATION OR ANY APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF THE RE-SUBDIVISION, OR PUBLIC, BY ANY CHANGED CONDITIONS IN OR ABOUT THE SURROUNDING NONAGRICULTURAL ACTIVITIES AFTER THE SAME HAS BEEN IN OPERATION FOR MORE THAN ONE (1) YEAR, WHEN THE OPERATION WAS NOT A NUISANCE AT THE TIME THE OPERATION BECAME PROVIDED, THAT THE PROVISIONS OF THIS SECTION SHALL NOT APPLY WHENEVER A NUISANCE RESULTS FROM THE IMPROVED OR NEGLIGENT OPERATION OF ANY AGRICULTURAL OPERATION OR APPLICABLE ZONING REGULATIONS TO IT."
5. THIS SUBDIVISION IS SUBJECT TO COMPLIANCE WITH IDAHO CODE SECTION 31-3805 CONCERNING IRRIGATION WATER. IRRIGATION TO ALL LOTS WITHIN THE SUBDIVISION WILL BE PROVIDED.

### DEVELOPER:

THOMAS G. AND SANDRA L. JOHNSON  
11800 W. NEW HOPE  
STAR, ID. 83569  
(208)286-7456

### Fischer Land Surveying, Inc

PROFESSIONAL LAND SURVEYING  
404 So. Washington Ave.  
Emmett, Idaho 83617  
Phone: (208) 365-4146



## EXHIBIT A





**ew Hope subdivision is the under lying subdivision to Trepper Ridge**

Michael Alexander <Malexander@achdidaho.org>  
o: kent brown <kentlkb@gmail.com>

Mon, Oct 16, 2023 at 1:20 PM

ACHD has no need for the easements listed in the attached plat.

**Michael Alexander**

Development Review Supervisor | Development Services

Ada County Highway District (ACHD)

1301 N Orchard Street, Ste 200, Boise, Idaho 83706

**Phone:** (208)387-6354

[www.achdidaho.org](http://www.achdidaho.org)

Connect with us on social! **@achdidaho**



**For civil plan review status:** <https://www.achdidaho.org/pdf/DTSrpts/TISReviewPlan.pdf>

*If you are having difficulty viewing the page, please clear your cache and try again. Or you can also try a different web browser. If you continue to have issues, please go to <https://www.achdidaho.org/AboutACHD/contactUs.aspx> and report the error.*

**From:** kent brown <kentlkb@gmail.com>  
**Sent:** Monday, October 16, 2023 1:01 PM  
**To:** Michael Alexander <Malexander@achdidaho.org>  
**Subject:** New Hope subdivison is the under lying subdivision to Trepper Ridge

**Caution:** This is an external email and has a suspicious subject or content. Please take care when clicking links or opening attachments. When in doubt, contact your IT Department

[Quoted text hidden]







10/11/2023

Kent Brown  
3161 E Springwood Dr  
Meridian, ID 83642

No Reservations/No Objection

**SUBJECT: Relinquishment of Drainage and Utilities easements in New Hope Subdivision  
Recorded June 27, 1997, Instrument # 97051247, Ada County ID**

To Whom It May Concern:

QWEST CORPORATION d/b/a CENTURYLINK QC ("CenturyLink") has reviewed the request for the subject vacation and has determined that it has no objections with respect to the areas proposed for vacation 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 easement or rights we have on this site or in the area.

This vacation response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the vacated area as described, the Applicant will bear the cost of relocation and repair of said facilities. If you have any questions, please contact me at 425-476-3390, [franklin.bolden@lumen.com](mailto:franklin.bolden@lumen.com) or [nre.easement@lumen.com](mailto:nre.easement@lumen.com).

Sincerely yours,

Franklin Bolden  
Network Infrastructure Services  
Lumen  
P850591





December 20, 2023

Sent via email to [Kentlkb@gmail.com](mailto:Kentlkb@gmail.com)

Kent Brown Planning Services  
3161 E Springwood Dr.  
Meridian, ID 83642

Re: Relinquishment of Public Utility Easement within the New Hope Subdivision, Ada County, Idaho.

Dear Kent,

This is in response to the public utility easement (PUE) relinquishment request submitted to Idaho Power Company and received in our office July 20, 2023, regarding the possible relinquishment of the PUE located as noted above. The attached Exhibit more specifically identifies the requested area for relinquishment, highlighted in yellow.

Idaho Power's review of your request indicated that we do not have facilities located within the requested area. As such, Idaho Power agrees to relinquish our interest in the easement area as shown on the attached map.

Thank you for providing Idaho Power Company the opportunity to review and comment upon the subject petition for relinquishment.

Sincerely,

A handwritten signature in black ink that reads "Laura Lacy". The signature is written in a cursive, flowing style.

Laura Lacy  
Associate Real Estate Specialist  
Idaho Power Company | Corporate Real Estate  
Land Management and Permitting Department  
208-388-5070  
[llacy@idahopower.com](mailto:llacy@idahopower.com)



WESTERN REGION OFFICE  
555 SOUTH COLE ROAD • BOISE, ID. 83709  
(208) 377-6000 • Fax (208) 377-6867 [www.intgas.com](http://www.intgas.com)

July 20, 2023

To whom it may concern,

Intermountain Gas Company has no objection to the vacation of any and all utility easement in the New Hope Subdivision. Located in Sec 6, T.3N., R.W., Star, Ada County Idaho. We do not have any gas facilities in the existing easement and will not have a need in the future. For questions, please contact Bryce Ostler at [bryce.ostler@intgas.com](mailto:bryce.ostler@intgas.com) or phone 208-377-6812

GIS Field Technician  
Intermountain Gas Company



Kent Brown

Meridian, Idaho 83642

Dear Kent,

We, Cable One, Inc. d/b/a Sparklight, agree to the relinquishment of the public utility easement in Lots 1 and 2 in the New Hope Subdivision in Ada County, Idaho. The relinquishment consists of the easements highlighted in the Exhibit A attachment. New easements have been provided in the Trapper Ridge Subdivisions.

Sincerely,

C. Goettsche

Cheryl Goettsche

Division Vice President

Sparklight

09 / 11 / 2023

Date: \_\_\_\_\_

# KENT BROWN PLANNING SERVICES

July 19, 2023  
Sparklight  
Attn. Terence Alsup

Sparklight  
Terence.alsup@cableone.biz

**RE: Relinquishment of Drainage and Utilities easements in New Hope Subdivision Recorded June 27, 1997, Instrument # 97051247 (Located northeast Corner of New Hope Road and Munger Road, Star, Idaho, Ada County)**

Dear Terence:

The New Hope Subdivision is being re-platted into the Trapper Ridge Subdivisions. The new Trapper Ridge Subdivision easements do not align with the existing easements in the existing New Hope Subdivision and therefore, need to be vacated.

State Code requires us to request that all possible public utility easement holders (ie. Sparklight) release their rights to said easements being vacated

To our knowledge the easement was never used and serves no purpose today. We are seeking relinquishments from any possible easement holders. I have attached a copy of the New Hope Subdivision plat and Exhibit A showing the easements we desire to have released. Plus vicinity map showing Trapper Ridge Subdivisions location and the area in blue shows the underlying New Hope Subdivision to be relinquished.

Can Sparklight please relinquish their rights to the easements in New Hope Subdivision, due the fact new easements will be provided in the new subdivision of Trapper Ridge Subdivisions?

If you have any questions regarding this or anything else feel free to contact me 208-871-6842.

Sincerely,



Kent Brown  
Planner



PLS 5710  
E 1/16  
1316.77  
3192  
PLS 7729  
R.A.N., R.I.W.  
CR#R #2017-051986

\* 2022085517  
Correction to Note 5 where note reads  
Settlers Irrigation District should be corrected  
to Emmer's Union Ditch Company

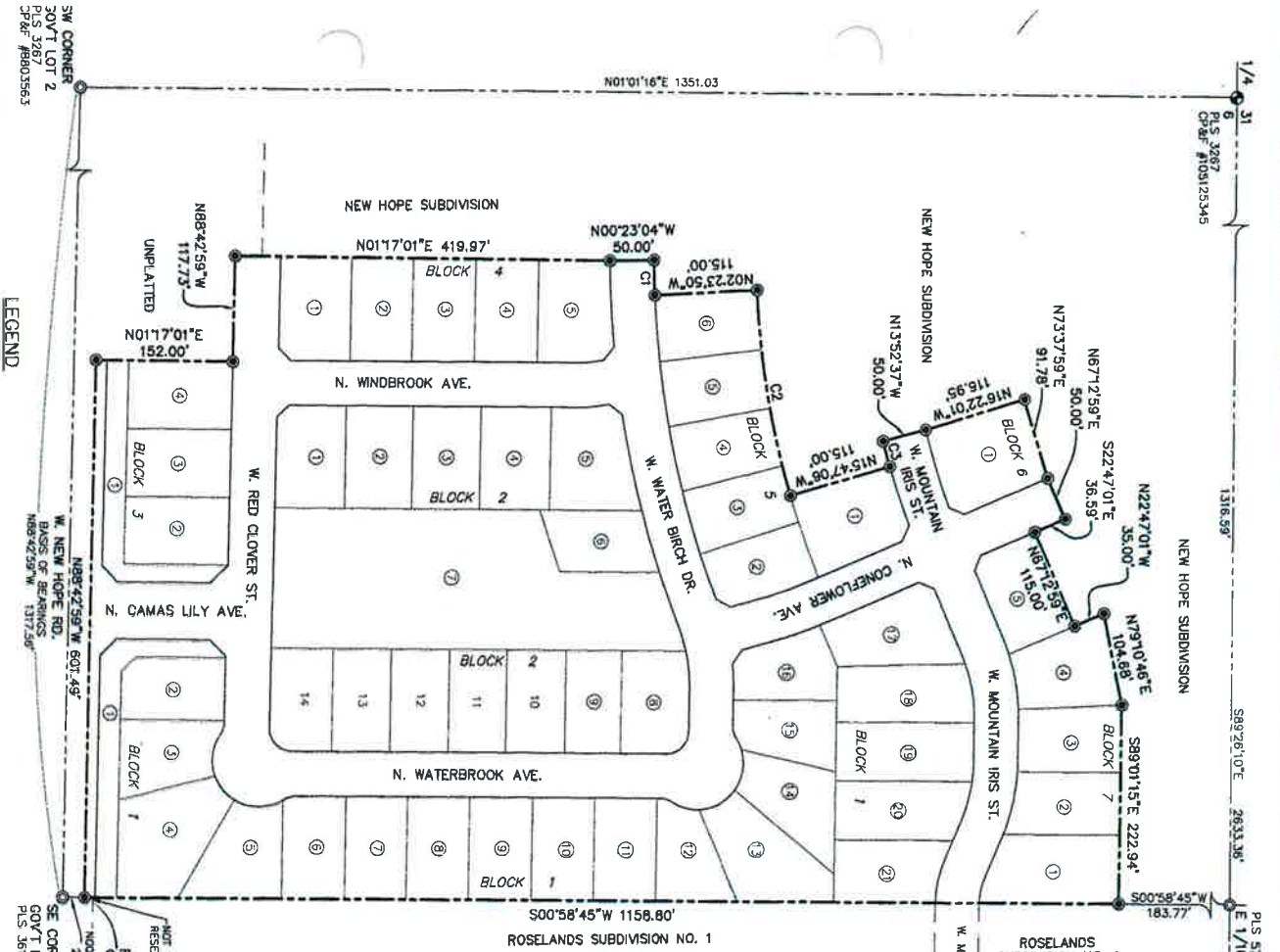
PLAT SHOWING  
**TRAPPER RIDGE SUBDIVISION NO.1**  
A PORTION OF LOTS 1 AND 2, BLOCK 1 OF NEW HOPE SUBDIVISION AND  
A PORTION OF GOVERNMENT LOT 2 LOCATED IN SECTION 6, T.4N., R.1W.,  
BOISE MERIDIAN, CITY OF STAR,  
ADA COUNTY, IDAHO  
2020

NOTES:

- A ten (10) foot wide Pressure Irrigation Easement in favor of the Trapper Ridge Homeowner's Association and a Permanent Public Utilities and Property Drainage Easement is hereby designated along all lot lines common to a Public Right-of-Way and along all rear lot lines. A five (5) foot wide Public Utilities and Property Drainage Easement is hereby designated along each side of interior lot lines unless otherwise shown.
- Portions of Lot 17, 18, 20 and 21, Block 1, Lots 7, 8-13, Block 2 and Lots 1 and 2, Block 3 are subject to the order of the Boise Metropolitan Storm Water Drainage Easement, recorded on May 9, 2009 as Instrument No. 108032529 and First Amended Master Perpetual Storm Water Drainage Easement recorded on November 10, 2015, as Instrument No. 2015-102258, 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 ACHD pursuant to Section 49-2502 Idaho Code. The Master Easement is for the Operation and Maintenance of the Storm Water Drainage System.
- Any Sub-Subdivision of this Plat shall be in compliance with the most recently approved Subdivision Standards of the City of Star.
- This development recognizes Idaho Code Section 22-4503, right to farm acts which states: No agricultural operation, agribusiness facility or expansion thereof shall be or become a nuisance, provide cause of action, or be subject to any regulatory action, if the operation, production, processing, or distribution of agricultural products is conducted in compliance with the provisions of this section. The provisions of this section shall not apply 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, agribusiness facility or expansion thereof.
- Maintenance of any Irrigation or Drainage pipe or Ditch crossing a lot is the responsibility of the lot owner, unless such responsibility is assumed by another party in compliance with Idaho Code Section 31-3805(1)(b). Lots within the subdivision will be entitled to Irrigation Water Rights, and will be Obligated for Assessments from "Settlers Irrigation District".
- Direct lot access to W. New Hope Road is prohibited.
- Lot 1, Block 1, Lot 7, Block 2 and Lot 1, Block 3 are common lots which shall be owned and operated by the Settlers Homeowner's Association. All common lots shall be subject to a bonded public utility easement, property drainage easement and pressure irrigation easement.
- Existing Public Utility and Drainage Easements per the New Hope Subdivision Plat have been vacated per Idaho Code 50-1306A.(9).
- ACHD License Agreement Int. No. 2020--065748.
- Minimum building setbacks shall be in accordance with the City of Star application zoning and subdivision regulations at the time of issuance of individual building permits or specifically approved and/or required, or as shown on this plat.
- Existing ACHD Permanent Easement Int. No. 2020-068837.
- All lots in this subdivision shall be subject to CDBG's recorded in conjunction with this plat.

Curve Table

Curve #	Radius	Length	Chord	Bearing	Delta
C1	1115.00'	39.17'	39.17'	N88°39'33"E	200°46'
C2	1000.00'	233.66'	233.33'	N80°54'32"E	132°21'6"
C3	865.00'	29.47'	29.47'	S75°10'06"W	154°32'



LEGEND

- FOUND 1/2" IRON PIN, PLS 3619 UNLESS OTHERWISE NOTED
- SET 1/2" x 24" IRON PIN WITH PLASTIC CAP, PLS 7729
- FOUND ALUMINUM CAP MONUMENT
- FOUND 5/8" IRON PIN WITH PLASTIC CAP, PLS 3619
- UNLESS NOTED OTHERWISE
- SET 5/8" x 24" IRON PIN WITH PLASTIC CAP, PLS 7729
- △ CALCULATED POINT
- ⑥ LOT NUMBER

SURVEYORS NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO SUBDIVIDE THE PROPERTY SHOWN HEREON. THE PROPERTY IS A PORTION OF LOTS 1 AND 2 OF NEW HOPE SUBDIVISION AS FILED IN BOOK 74 OF PLATS AT PAGES 7840 AND 7841 AS DESCRIBED IN WARRANTY DEED INSTRUMENT NO. 2020-071135. THE SUBJECT PROPERTY IS ALSO A PORTION OF THE PROPERTY SHOWN ON ROS 2599L MONUMENTATION FOUND IN THE ROS 2599L MONUMENTATION SUBDIVISION SHOWN ON THESE SURVEYS AND WERE HELD AS CONTROLLING CORNERS FOR THIS PLAT.

SCALE IN FEET  
1" = 100'

NOTE:  
SEE SHEET 3 OF 5 FOR  
LINE AND CURVE TABLES ON

CHERRY G. CARTER, PLS 7729  
IDAHO SURVEYOR  
9950 W. EMERALD ST.  
BOISE, ID 83708

**7729**  
STATE OF IDAHO  
PROFESSIONAL SEAL

**7729**  
CHERRY G. CARTER  
PLS 7729

SHEET 1 OF

**Boiley Engineering, Inc**  
CIVIL ENGINEERING | PLANNING | CAD  
1001 S. STATE STREET, SUITE 200  
BOISE, IDAHO 83725  
TEL: 208-333-2000  
WWW.BOILEYENGINEERING.COM



