

438302

FILED BY Valerie Scates

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9.00

CITY OF DOVER
P.O. BOX 115
DOVER, IDAHO 83864
MARIE SCOTT
RECORDER OF BONNER
COUNTY BY MT DEP.

RESOLUTION NO. 14
Donald & Ellen Polk

Vacation of the plat of Panorama Ridge in the City of Dover

WHEREAS, Donald & Ellen Polk filed an application requesting a vacation of the plat of Panorama Ridge in the City of Dover which is described as the Plat of Panorama Ridge, lying between Lot 3 & Lot 4; and

WHEREAS, The City of Dover held a duly noticed public hearing on December 2, 1993, and upon a review of the file containing the record of all proceedings related to the proposed vacation request, found as facts that:

FINDINGS OF FACT

1. Legal Description: That Portion of Panorama Road lying between Lot 3 and 4 of the plat of Panorama Ridge, recorded in book 4 of Plats, page 59, records of Bonner County, Idaho, and further designated on the face of said plat as being reserved for future road.
2. Applicants' Names & Address: Donald & Ellen Polk, 400 Panorama Ridge Road, Dover, Idaho 83825.
3. Petition Filed: July 1, 1993.
4. Notice of Public Hearing Published: November 3rd and November 18, 1993.
5. Notice of Public Hearing sent: November 1, 1993.
6. Platted roadway name: Panorama Road.
7. Plat Name: Panorama Ridge.
8. Petitioners' Narrative Statement:

The two main landowners within the plat are Donald & Ellen Polk and David & Ellen Darling. The present plat boundaries are restrictive to the property owners due to roads and other restrictions of the original plat. Deleting the plat would have no effect on any owners.

9. Comments Received:

No written comments have been submitted to the file by any individuals other than the applicants.

No comments in opposition were received at the hearing to vacate the plat.

- 10. The platted roadway was never built nor maintained by the City of Dover. The platted roadway is not used for access to any of the properties.

WHEREAS, the City of Dover concluded, upon the record before it, that;

In reaching these conclusions, the following statutes and the City of Dover Planning and Zoning Ordinances were considered:

CONCLUSIONS:

- 1. Idaho Code
 - 50-1306A Vacation of Plats
 - 50-1321 Necessity for consent of adjoining owners...Limitation on rule...
 - 50-1324 Recording vacations

Since the platted roadways were not built and do not currently serve any adjoining landowners, the vacation does not deprive any individual of access to his/her property. The roadway has never been maintained by the City. Notice of the proposed plat abandonment has been served in accordance with Idaho Code, and no opposition was voiced.

- 2. The City of Dover Planning and Zoning Ordinance.

Approval of the plat vacation does not endanger public health, safety and welfare. No new services would be required by the vacation of the plat. There are no easements for utilities, sewer, water or other easements recorded on the face of the plat.

NOW, THEREFORE, BE IT RESOLVED by the City of Dover, Dover, Idaho, that the Donald & Ellen Polk request for vacation of the plat of Panorama Ridge in the City of Dover shall be and the same is hereby approved.

Upon motion to adopt the text of the foregoing Resolution made by Council Member Margaret Becker and seconded by Council Member Kenneth Evans, the following vote was recorded:

Council Member Margaret Becker	<u>Aye</u>
Council Member Kenneth Evans	<u>Aye</u>
Council Member Stacy Kuranz	<u>Aye</u>

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the City of Dover, Idaho, on the 2nd day of December, 1993.

438302

Loretta Boyle
Loretta Boyle, Mayor

ATTEST: Valerie Scates
Valerie Scates, Clerk