BEFORE THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF
BONNEVILLE, STATE OF IDAHO

IN RE:
Petition for Abandonment and Vacation of
Public Utility Easements in Comore Loma
Division No. 11, Bonneville County, Idaho

Request by Tim Pappas

FINDINGS OF FACT

1. The Board of Commissioners of Bonneville County received a Petition for
Abandonment and Vacation of public utility easements in Bonneville County,
said petition submitted by Tim Pappas, owners of property within Bonneville
County, Idaho, as provided by Idaho Code §40-203 and 50-1317.

2. The petition requested abandonment and vacation of public utility easements that
were conveyed to Bonneville County, Idaho, on the recorded plat of Comore
Loma Division No. 11, Instrument No. 1031217.

3. The easements requested for vacation are described as twelve (12) foot wide
public utility easements on each side of the common lot line between Lots 40 and
41 Block 12 of Comore Loma Division No. 11, Bonneville County, Idaho, as
identified and noted on the recorded plat thereof.

4. A notice of the requested easement vacation was mailed to property owners
adjacent to the requested abandonment and a public notice was published as
required by law.

5. A notice of the requested abandonment was mailed to public utility companies as
required by law.

6. A public hearing for the easement vacation was held on March 9, 2016 at
approximately 10:00 a.m. in the Bonneville County courthouse.

7. At the public hearing the Bonneville County Board of Commissioners took oral
and written testimony from all interested persons on the easement vacation.

8. No written comments were received from the general public or public utility
companies in opposition to the vacation of the easements.

9. Written testimony was provided by Intermountain Gas Company indicating they
were not opposed to the easement vacation.
10. Minutes of the public hearing were taken and placed in the official minutes of the Bonneville County Board of Commissioners.

CONCLUSION OF LAW

After due consideration of the testimony presented at the aforementioned public hearing and based upon evidence presented, The Bonneville County Board of Commissioners issues the following findings and conclusions of law:

1. A petition was duly presented by a landowner of Bonneville County to abandon and vacate public utility easements adjacent to the common lot line between Lots 40 and 41 Block 12 in Comore Loma Division No. 11, Bonneville County, Idaho, described as twelve (12) foot wide public utility easements on each side of the common lot line between Lots 40 and 41 Block 12 in Comore Loma Division No. 11, Bonneville County, Idaho, as said easements are identified and noted on the recorded plat thereof.

2. Letters and a notice of public hearing were duly prepared, mailed and published as required by law. A public hearing was held pursuant to the notice and letters on March 9, 2016, and the board accepted all information relating to the proceeding.

3. No comments were received from the public or public utility companies in opposition to the abandonment of the described easements.

4. The Bonneville County Board of Commissioners reviewed all information and testimony at the time of the public hearing and due process was allowed to all interested parties.

5. After considering all of the testimony and information presented at the aforementioned public hearing, the Bonneville County Board of Commissioners conclude as follows:

   a) The recorded plat of Comore Loma Division No. 11 notes the location of the twelve (12) foot wide utility easements on each side of the common lot line between Lots 40 and 41 Block 12.

   b) The public utility companies have not indicated that any facilities are located within the described easements and have not objected to the vacation of said easements.

   c) The vacation of the public utility easements will not prevent public utilities being provided to any adjacent lot if needed.

   d) It is in the public interest to vacate said described easements.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, the Bonneville County Board of Commissioners hereby orders as follows:

1. An Order is hereby entered vacating the twelve (12) foot wide public utility easements adjacent to the common lot line between Lots 40 and 41 Block 12 in Comore Loma Division No. 11, Bonneville County, Idaho.
2. That the foregoing Finding of Fact and Conclusions of Law and this Order shall be recorded in the office of the Bonneville County Recorder.

It is hereby Ordered this 10th day of March, 2016.

BONNEVILLE COUNTY COMMISSIONERS

Roger S. Christensen, Chairman

Lee Staker, Member

Dave Radford, Member

Attest: Bonneville County Clerk