



EASEMENT	
File Number: <u>EASFY2025-0004</u>	
Date Received : <u>3/26/25</u>	
FOR OFFICE USE ONLY	

6015 Glenwood street ▪ Garden City, ID 83714 ▪ 208.472.2921 (tel.)
 ▪ www.gardencityidaho.org ▪ building@gardencityidaho.org

APPLICANT	PROPERTY OWNER
Name: Steve Heath	Name: Rob & Jan Cluff
Company: Heath Development & CM	Company:
Address: 1445 E Feather View CT	Address: 8405 W Marigold ST
City: Eagle	City: Garden City
State: ID Zip: 83616	State: ID Zip: 83714
Tel.: 916-995-0491	Tel.: 208-866-1463
E-mail: Steve@heathdcm.com	E-mail: Jancluff@gmail.com

EASEMENT INFORMATION

Any associated Garden City application file number:	
Site Address: 8401 & 8403 W Marigold St	Garden City, Idaho 83714
Subdivision Name: Rockcross sub #2	
Affected Lot and Blocks Lot 15&16 Block 1	
Tax Parcel Number(s): R7533180020 & R7533180010	

APPLICATION INFORMATION REQUIRED

New Easement (Easements shown on a subdivision plat do not require this form):

***Please Provide:**

- Explanation of the request if there is no associated Garden City application where an easement has been specified as a condition of approval
- Draft Easement in .doc format
- Easement Exhibits:
 - Legal Description of the platted area or property to be included in the easement
 - Map thereof

Request to Vacate Easement

***Please Provide:**

- Affidavit of Legal Interest
- Exhibit A: Legal Description of the platted area or property to be vacated and map thereof;
- Exhibit B: Petition to vacate including:
 - Circumstances of the request to vacate
 - Legal Description of the platted area or property to be vacated and map thereof
 - The names of the persons affected by the vacation request
 - Notarized relinquishments from each potential grantee (e.g. a utility and drainage easement should include relinquishments from Century Link, Intermountain Gas, Idaho Power, Drainage District, and the Home Owners Association)

Petition To Vacate Easements Exhibit B

To: City of Garden City

From: Steve Heath

Property Owners: Rob & Jan Cluff Property

Address: 8401 & 8403 W Marigold St, Garden City, ID 83714

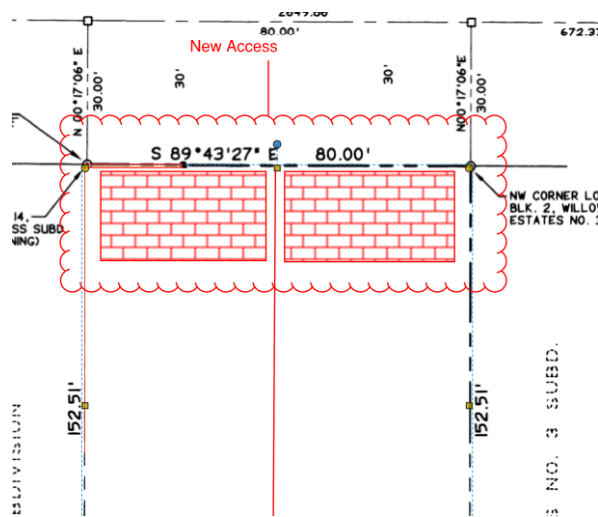
Subdivision: Rockcress Sub #2

Affected Lots: Lot 15 & Lot 16, Block 1

Parcel Numbers: R7533180020 & R7533180010

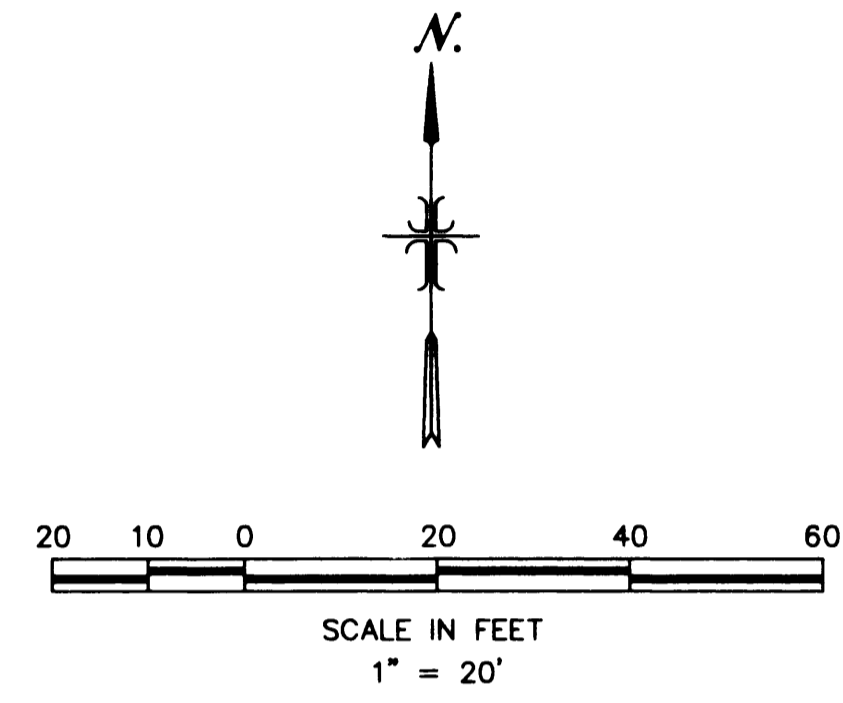
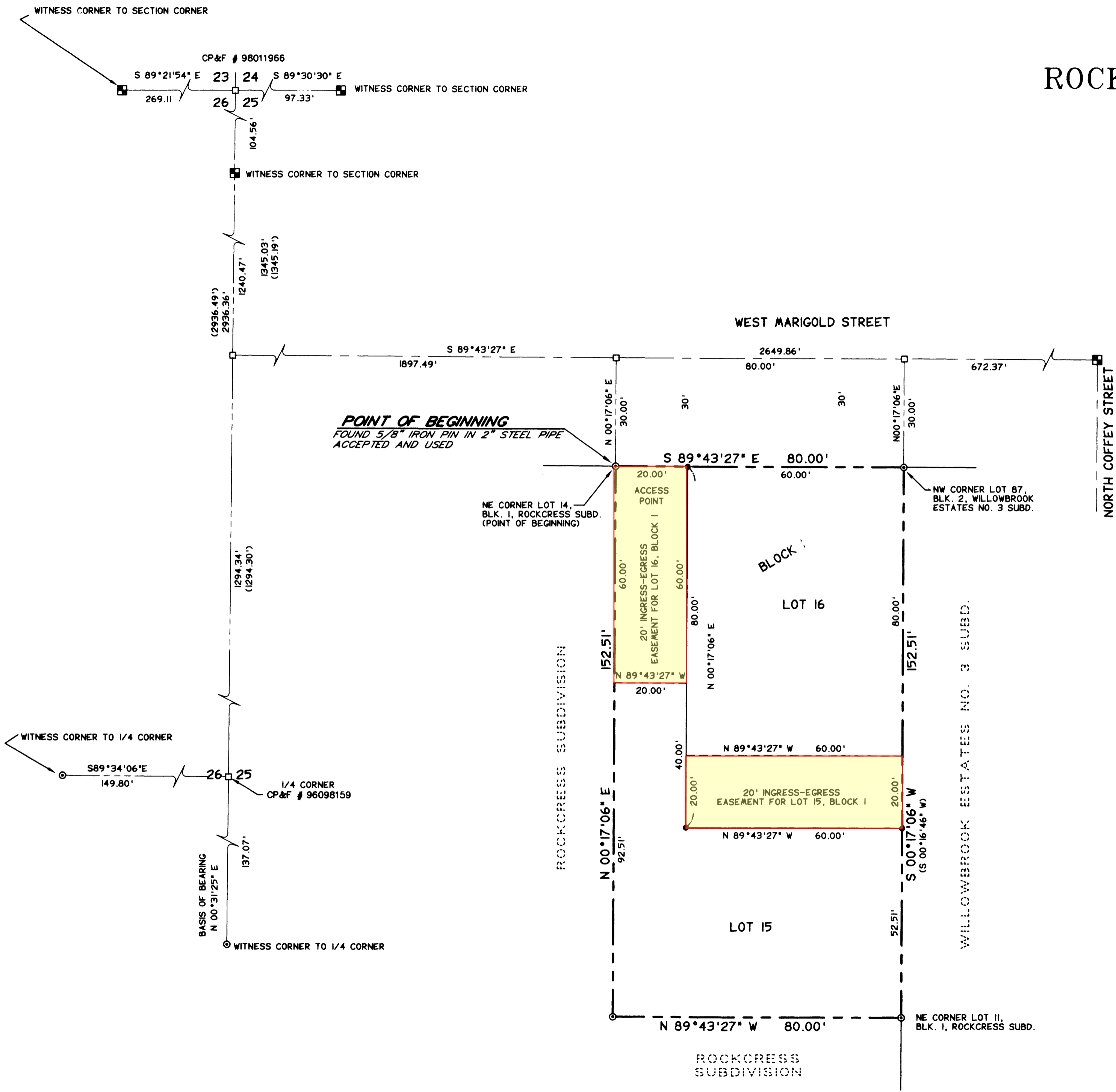
Circumstances of the Request: The current ingress and egress easements, as shown in the survey, are no longer needed due to a pending lot line adjustment. The new site plan ensures that all access to the property will be from Marigold Street, eliminating the need for the existing easements. The current easements will encroach on the new proposed lots that will be built in the future.

Desired Outcome:



PLAT OF ROCKCRESS SUBDIVISION NO. 2

A PORTION OF LOT 17, STRAWBERRY GLENN,
LYING IN THE NW 1/4, SECTION 25, T.4N., R.1E., B.M.,
GARDEN CITY, ADA COUNTY, IDAHO
1998



NOTES

1. BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE ZONING ORDINANCE AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT.
2. ANY RESUBDIVISION OF THIS PLAT SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RESUBDIVISION.
3. SUBDIVIDER WILL COMPLY WITH THE DISCLOSURE REQUIREMENTS OF SECTION 31-3805 OF THE IDAHO CODE.
4. ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT PUBLIC UTILITIES, DRAINAGE, IRRIGATION AND GARDEN CITY STREET LIGHT EASEMENT OVER THE TEN (10) FEET ADJACENT TO ANY STREET THAT IS DEDICATED TO THE USE OF THE PUBLIC. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT.
5. A TEN (10) FOOT PERMANENT PUBLIC UTILITIES, DRAINAGE, AND IRRIGATION EASEMENT IS HEREBY RESERVED LYING FIVE (5) FEET ON BOTH SIDES OF EACH COMMON INTERIOR LOT LINE.
6. ALL LOTS ABUTTING THE EXTERIOR BOUNDARY OF THE SUBDIVISION ARE HEREBY DESIGNATED AS HAVING A PERMANENT PUBLIC UTILITIES, DRAINAGE AND IRRIGATION EASEMENT OVER THE TEN (10) FEET ADJACENT TO THE SAID EXTERIOR BOUNDARY.
7. DIRECT LOT ACCESS FOR LOT 16 OF BLOCK 1 TO WEST MARIGOLD IS PROHIBITED. LOT 16 OF BLOCK 1 SHALL SHARE ACCESS WITH LOT 15 OF BLOCK 1 AT THE ACCESS POINT AS SHOWN.

LEGEND

- BOUNDARY LINE
- - - CENTER LINE
- - - - - EASEMENT BOUNDARY
- ⊕ FOUND BRASS CAP
- ⊞ FOUND ALUMINUM CAP
- ⊙ FOUND 5/8" IRON PIN w/CAP
- SET 1/2" x 24" IRON PIN w/CAP
- CALCULATED POINT, NOT SET



TEALEY'S LAND SURVEYING

108 S. 4th ST. • BOISE, IDAHO
208-385-0636

Project No. 1812

Sheet 1 of 2

ROCKCRESS SUBDIVISION NO. 2

CERTIFICATE OF OWNERS

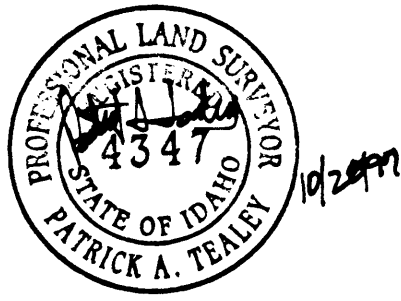
KNOW ALL MEN BY THESE PRESENTS: THAT NAME JOHNNY M. HOWARD AND JOY I. THOMAS, DO HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE REAL PROPERTY AS DESCRIBED BELOW AND IT IS THEIR INTENTION TO INCLUDE SAID REAL PROPERTY IN THIS PLAT.

A PARCEL OF LAND BEING A PORTION OF LOT 17 OF STRAWBERRY GLENN, A SUBDIVISION, AS FILED FOR RECORD IN THE OFFICE OF THE ADA COUNTY RECORDER, BOISE, IDAHO IN BOOK 6 OF PLATS AT PAGE 255, LYING IN THE NW 1/4 OF SECTION 25, T.4N., R.1E., B.M., GARDEN CITY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIN MARKING THE NORTHEAST CORNER OF LOT 14 OF BLOCK 1 OF ROCKCRESS SUBDIVISION, AS FILED FOR RECORD IN THE OFFICE OF THE ADA COUNTY RECORDER, BOISE, IDAHO IN BOOK 60 OF PLATS AT PAGE 5942; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF WEST MARIGOLD STREET SOUTH 89°43'27" EAST 80.00 FEET TO AN IRON PIN MARKING THE NORTHWEST CORNER OF LOT 87 OF BLOCK 2 OF WILLOWBROOK ESTATES NO. 3 SUBDIVISION, AS FILED FOR RECORD IN THE OFFICE OF THE ADA COUNTY RECORDER, BOISE, IDAHO IN BOOK 59 OF PLATS AT PAGE 5730; THENCE ALONG THE WEST BOUNDARY OF WILLOWBROOK ESTATES NO. 3 SUBDIVISION: SOUTH 00°17'06" WEST (FORMERLY SOUTH 00°16'46" WEST) 152.51 FEET TO AN IRON PIN MARKING THE NE. CORNER OF LOT 11 OF THE SAID BLOCK 1 OF THE ROCKCRESS SUBDIVISION; THENCE ALONG THE BOUNDARY OF THE SAID ROCKCRESS SUBDIVISION NORTH 89°43'27" WEST 80.00 FEET TO AN IRON PIN MARKING AN ANGLE POINT IN THE SAID BOUNDARY; THENCE CONTINUING NORTH 00°17'06" EAST 152.51 FEET TO THE POINT OF BEGINNING.

SAID PARCEL OF LAND CONTAINS 0.280 ACRE, MORE OR LESS.

CERTIFICATE OF SURVEYOR

I, PATRICK A. TEALEY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE CERTIFICATE OF OWNERS AND THE ATTACHED PLAT, WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODES, RELATING TO PLATS, SURVEYS AND THE CORNER PERPETUATION AND FILING ACT.



Patrick A. Tealey
PATRICK A. TEALEY, L.S. NO. 4347

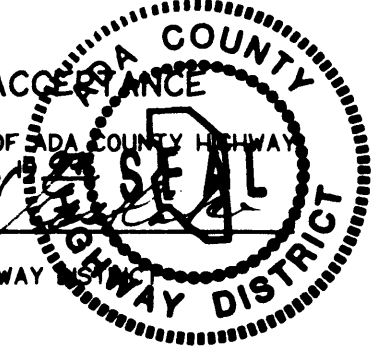
APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK IN AND FOR GARDEN CITY, ADA COUNTY, IDAHO DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 14th DAY OF OCTOBER 1997 THIS PLAT WAS DULY ACCEPTED AND APPROVED.



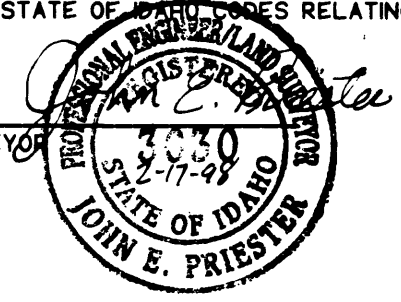
ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ACCEPTANCE

THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE 26th DAY OF November 1997.



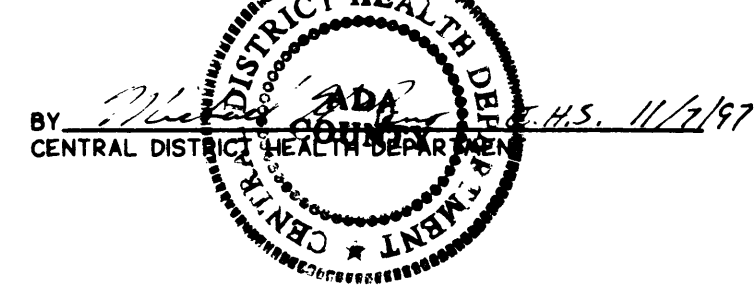
CERTIFICATE OF COUNTY SURVEYOR

I, THE UNDERSIGNED, THE COUNTY SURVEYOR FOR ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODES RELATING TO PLATS AND SURVEYS.



APPROVAL OF CENTRAL DISTRICT HEALTH DEPARTMENT

SANITARY RESTRICTIONS OF THIS PLAT ARE HEREBY REMOVED ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT CONCERNING THE CONDITIONS OF APPROVAL.



CERTIFICATE OF COUNTY TREASURER

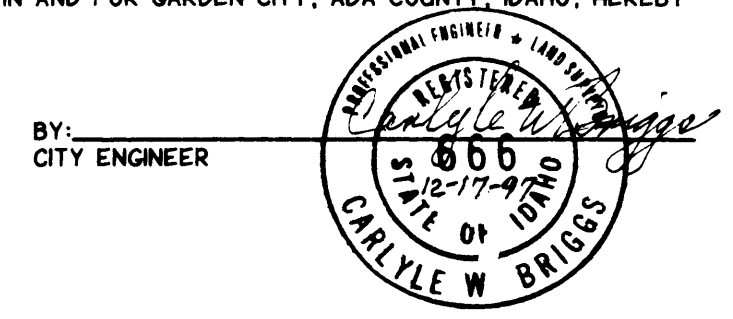
I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C. 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS VALID FOR THE NEXT THIRTY (30) DAYS ONLY.

Barbara Bane
COUNTY TREASURER
Shelly Bell
DATE 2-27-98



APPROVAL OF CITY ENGINEER

I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR GARDEN CITY, ADA COUNTY, IDAHO, HEREBY APPROVE THIS PLAT.

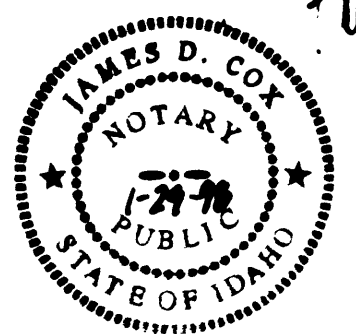


Joy I. Thomas
JOY I. THOMAS

COUNTY RECORDERS CERTIFICATE

STATE OF IDAHO)
COUNTY OF ADA) SS
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF Johnny M. Howard + Joy I. Thomas AT 15 MINUTES PAST 3 O'CLOCK P.A., THIS 2 DAY OF March 1998 IN MY OFFICE AND WAS DULY RECORDED IN BOOK 75 OF PLATS AT PAGES 7849 AND 7850 UNDER INSTRUMENT NO. 18018987

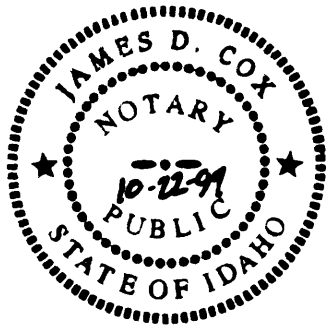
R. Munn
DEPUTY
David Harro
EX-OFFICIO RECORDER



ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF ADA) SS
ON THIS 22nd DAY OF December 1997 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JOHNNY M. HOWARD, KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

Johnny M. Howard
JOHNNY M. HOWARD



James D. Cox
NOTARY PUBLIC FOR IDAHO
RESIDING AT BOISE, IDAHO
MY COMMISSION EXPIRES: 8-24-2001

ACKNOWLEDGMENT

STATE OF IDAHO)
COUNTY OF ADA) SS
ON THIS 24th DAY OF January 1998, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JOY I. THOMAS, KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.
James D. Cox
NOTARY PUBLIC FOR IDAHO
RESIDING AT BOISE, IDAHO
MY COMMISSION EXPIRES: 8-24-2001



DATE	INVOICE NO
3/26/2025	0006526

BILL TO
HEATH DEVELOPMENT & CONSTRUCTION MANAGEMENT 1445 E. FEATHER VIEW CT EAGLE, ID 83616

DUE DATE
3/26/2025

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
PREVIOUS OUTSTANDING BALANCE						175.00
3857 - Citation Number EASFY2025-0004:						
EASVACA	1.00	1,300.00	1,300.00	0.00	0.00	1,300.00
NOTICE	1.00	0.00	0.00	0.00	0.00	0.00
		INVOICE TOTAL:	1,300.00	0.00	0.00	1,300.00

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (208) 472-2900

DUE DATE	INVOICE NO
3/26/2025	0006526

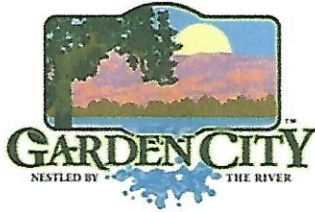
Customer Name: HEATH DEVELOPMENT & CONSTRUCTION MANAGEMENT
Customer No: 028301
Account No: 0005028 - CM Account

Please remit payment by the due date to:

City of Garden City
6015 Glenwood
Garden City, ID 83714

Invoice Total:	1,300.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	1,475.00

INVOICE BALANCE: \$1,300.00
AMOUNT PAID: _____



DATE	INVOICE NO
3/26/2025	0006526

BILL TO
HEATH DEVELOPMENT & CONSTRUCTION MANAGEMENT 1445 E. FEATHER VIEW CT EAGLE, ID 83616

DUE DATE
3/26/2025

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
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PREVIOUS OUTSTANDING BALANCE 175.00

3857 - Citation Number EASFY2025-0004:

EASVACA	1.00	1,300.00	1,300.00	0.00	0.00	1,300.00
NOTICE	1.00	0.00	0.00	0.00	0.00	0.00

03/28/2025 04:06 PM	0	0.00	1,300.00
Receipt No. 00702521			

AR 028301 - 0005028
1,300.00

PLEASE PAY
EASVACA
EASVACA
1,300.00

Cash Amount:0.00
Check Amount:1,300.00
Other Payments:0.00
Change Amount:0.00

Customer Name: HEATH DEVELO
Customer No: 028301
Account No: 0005028 - CMA

Customer #: 028301
Transaction Reference: #

DUE DATE	INVOICE NO
3/26/2025	0006526

Please remit payment by the due date to:

City of Garden City
6015 Glenwood
Garden City, ID 83714

Name: HEATH DEVELOPMENT & CONSTRUCTION MANAGEMENT
1445 E. FEATHER VIEW CT
EAGLE, ID 83616

Invoice Total: 1,300.00
Discounts: 0.00
Credit Applied: 0.00
Ending Balance: 1,475.00

ICE BALANCE: \$1,300.00
AMOUNT PAID: \$1,300.00

Station: UBILLINGDESK2

Balance Fwd: AR Account 0005028 HEATH DEVELOPMENT & CONSTRUCTION MANAGEMENT

