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To: **Garden City Building**

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From: **Joe Canning, PE/PLS**
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Date: 12 March 2022

Subject: **Energreen Development Company LLC
Watergarden Condominiums
Lot 29, Block 2 of Waterfront District – Easement Vacation
EASFY2022-0003 – Review #2**

Pages: 2

Media: Transmitted via E-mail

Status: **Comments Pending**

On behalf of Garden City, as the city engineer, we have completed our second review of the application for the vacation of easements on the perimeter of Lot 29, Block 2 of Waterfront District Subdivision.

The information that our office received for this file number for this review is the following:

1. Copy of e-mail from the Fairview Acres Lateral Water Users Association dated 16 February 2022

2. Easement release from Cable One Inc. dated 1 March 2022
3. Easement relinquishment from Idaho Power dated 1 March 2022
4. Partial easement vacation from Intermountain Gas Company dated 26 January 2022
5. Condominium Declaration, Instrument Number 2121-163106 containing of an exhibit of the plat of Watergarden Condominiums with the seal of Nathan J. Dang, PLS, but not signed or dated

Comments within this review are specific to our review and should not be considered all encompassing. Other reviews within the city and by other review agencies may occur.

Professional of Record

Any suggestions for design modifications are not made to replace the position of the professional of record. We are simply making an observation that may impact the project or its review by city staff. The design professional may not necessarily be obligated to use the suggestion unless conformance to city requirements is an issue.

Bold text in the comments below is specific to this review.

Our comments follow.

1. The application and sign-offs by easement holders need to be very clear on what and who is releasing what easement. As an example, the ACHD holds easements on the property that we presume are not being vacated. As another example, the city of Garden City has/needs easements to cover city infrastructure such as sewer services, water services and perhaps fire hydrants. We presume the vacation will not be a full release or easement rights or perhaps will only be a part of the land within the land description provided with the application. Please advise. **We have not received a response to this comment. Please advise.**
 2. Perhaps the primary solution to the above comment may be to recreate the easement on the new plat and just acknowledge prior easements that were created before the platting of the Waterfront District. Please advise. **We note the inclusion of utility easements in the project's declaration and notes 6 and 13 on the condominium plat. However the wording of note 13 does not include fire hydrants. There is a fire hydrant located near the west corner of the project. Please add "fire hydrants and their appurtenances" to the note.**
 3. An easement vacation resolution by the city council will need to address existing easements that will not be vacated. **Resolution yet to be created.**
- 3A. New Comment: Please provide an easement release from CenturyLink/Lumen.**

Please provide a written response to the above comments and any new information to city hall.