



To: Mayor and Hayden City Council

From: Dulci Kau, P.E., City Engineer

Date: 8/5/2026

Agenda Item: Acceptance of the Grant of Easement from Richard Bingham

Agenda Item Location

Consent

Background and Recommended Action or Motion

Richard Bingham received a residential building permit at 235 E Hayden Avenue and has provided the grant of easement as required by Hayden City Code 11-4-7(c).

Staff recommends the City Council accept the grant of easement and permit the Mayor to sign on behalf of the City prior to recording with Kootenai County.

Functional Impact of Authorizing

If accepted, City Council acknowledges the owner has met the requirements of City Code 11-4-7(c) site development.

Functional Impact of Not Authorizing

If not approved, City Council would need to provide cause and reason for denial and a path forward for acceptance.

Fiscal Impact

This item has no fiscal impact on the City of Hayden.

Attachment

Grant of Easement

Figure 1 - Vicinity Map



After recording return document
to: City of Hayden
8930 N Government Way
Hayden, Idaho 83835

Document Title: GRANT OF EASEMENT
Grantor(s): Richard Bingham
Grantee(s): City of Hayden
Legal Description: Avondale, S 139 ft – Tax #4757 in Tr 59
Assessor's Tax Parcel No: H045013059AD

GRANT OF EASEMENT

The Grantor(s), Richard Bingham, in consideration of the sum of One and No/100 Dollars (\$1.00), and other valuable consideration of which is hereby acknowledged, hereby grants unto the CITY OF HAYDEN, a municipal corporation, and its assigns, an easement, to be used for all lawful right of way purposes, surface and subsurface, including but not limited to right-of-way uses as well as sidewalks, plantings, right of way beautification improvements where deemed appropriate by the City, installation, operation and maintenance of utilities, stormwater, snow storage and such other uses that municipalities may make of rights-of-way and easements from time to time, now or in the future, for the use and benefit of the public, over, under, upon and across the hereinafter described lands. All such uses are unrestricted in location within the easement and shall not be limited in any way whatsoever by the state of being, condition or location of the street.

The City of Hayden shall have the right to utilize such additional width as may be necessary temporarily for the placing of excavated materials thereon and for initial construction and maintenance operations. The City of Hayden agrees that it will at its own expense and to the extent reasonably practicable, restore the surface of land to the same conditions that existed prior thereto.

Said lands being situated in the City of Hayden, Kootenai County, State of Idaho, legally described as follows:

For legal description and additional conditions, see Exhibits "A" and "B" attached hereto and made a part hereof.

It is understood and agreed that delivery of this Easement is hereby tendered and that the terms and obligations hereof shall not become binding upon the City of Hayden unless and until accepted and approved hereon in writing for the City of Hayden, by the Mayor.

CITY OF HAYDEN

Attest:

City Clerk

By: Mayor

Date: _____

DATED this _____ day of _____,
2026.

Name, Title

Richard Bingham
Grantor's Name



INDIVIDUAL ACKNOWLEDGEMENT

STATE OF IDAHO)

) ss

County of Kootenai

On this 20th day of October, 2026, before me, a Notary for the State of Idaho, personally appeared Richard Bingham, known, or identified to me to be the individual(s) described in and who executed the foregoing instrument, and acknowledged that he signed and sealed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above

written. (SEAL)



Notary Public in and for the State of Idaho,
Residing at: Coeur D'Alene

My commission expires: 5-11-32

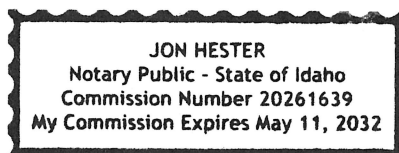


EXHIBIT A

The south ten feet (10') of the South 139 feet (feet) following described parcel:

That part of the West half of Tract 59, Avondale, according to the plat recorded in Book "B" of Plats, Page 132, Kootenai County Records, located in the SW1/4 of the SW1/4 of Section 13, Township 51 North, Range 4 West, B.M., City of Hayden, Kootenai County, Idaho, more described as follows;

COMMENCING 87.5 feet West of the Southeast Corner of the West Half of said Tract 59, being the **TRUE POINT BEGINNING**;

thence North 249 feet;

thence West 87.5 feet;

thence South 249 feet;

thence East 87.5 feet to the **TRUE POINT OF BEGINNING**.

