



Memo

To: Mayor Davis and Members of the City Council

From: Donna Phillips, GISP, Community Development Director

Date: December 1, 2025

Agenda Item: PZE-25-0098 Honeysuckle Glade Vacation of Easement Request

Agenda Item Location

Public Hearing

Recommended Action or Motion

The City Council should review the Idaho State Statutes within the Staff Analysis and determine at the conclusion of the public hearing and upon review of the application and the record if the applicant has met the requirements for a portion of easement to be vacated. The City does not have any additional requirements or standards for this request but relies entirely on Idaho State Statute.

Summary

Staff Analysis summarized:

Page 1 is the background of the project.

Page 2 provides the request and location.

Pages 3 – 5 provides the analysis of the request in accordance with Idaho State Statutes.

Page 5 provides the agencies who responded to the request at the time of the analysis.

Pages 6-10 is the Appendix to the Staff Analysis which provides the Codes in their entirety as referenced in the analysis.

Pages 11-14 provides the legal of the proposed area to be vacated across three lots.

Pages 15-19 provides the applicant's request.

Pages 20-25 provides the agency comments as received and identified on page 5 above.

Fiscal Impact

Not applicable

Budget Funding Source / Transfer Request

Not applicable

Attachment

See Staff Analysis

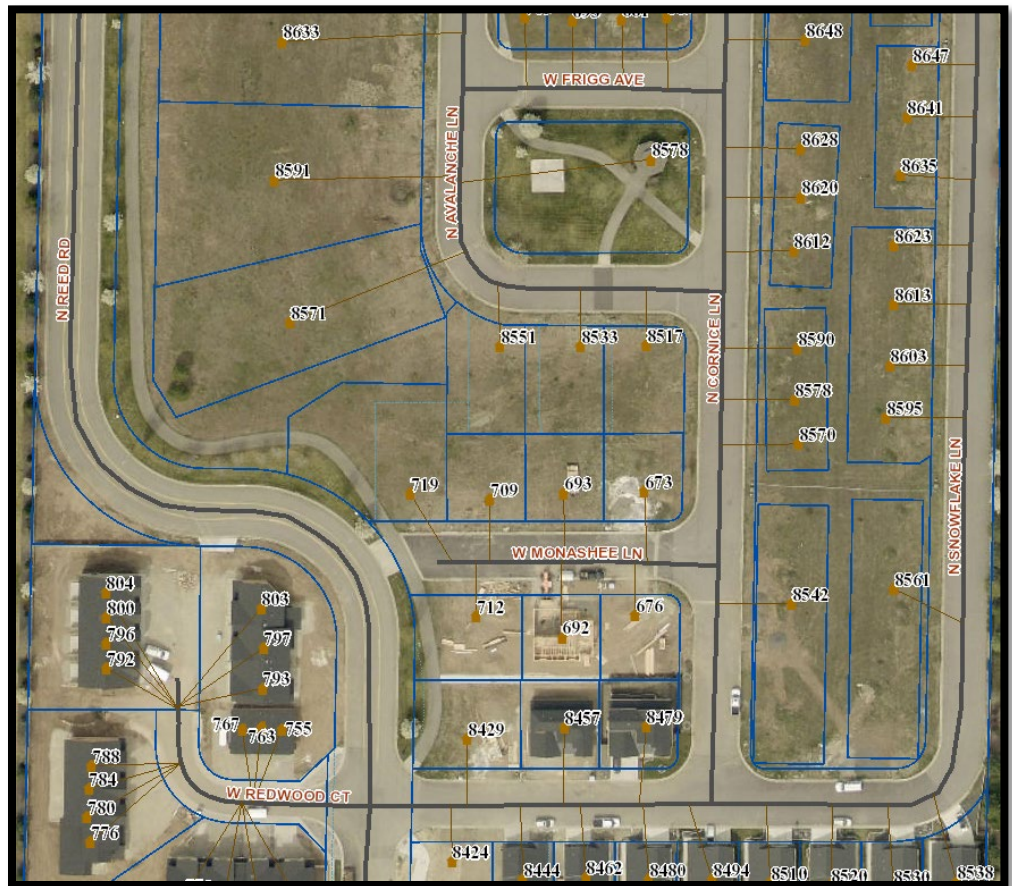
Honeysuckle Glade Vacation of Easement
Tax Parcel Nos. HL64400D0050, HK095000001A, HL64400C005A, &
HL64400C006A

Owner: City of Hayden
PZE-25-0098

BACKGROUND	1
SUMMARY OF REQUEST	2
LOCATION	2
LEGAL DESCRIPTION	3
ANALYSIS.....	3
ADDITIONAL INFORMATION	5

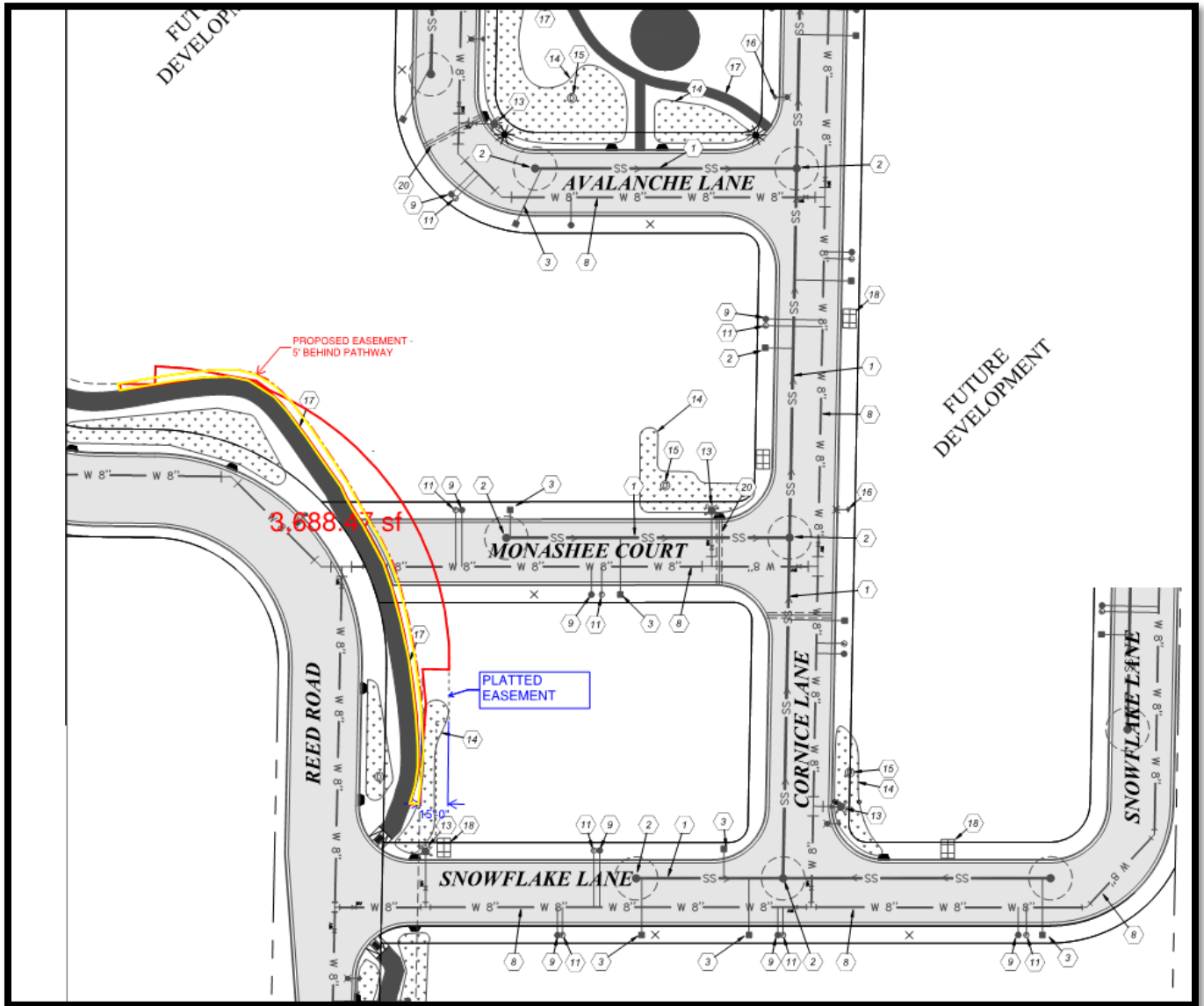
BACKGROUND

Honeysuckle Glade Planned Unit Development was approved in 2007 and platted with building envelopes anticipated to be developed as a variety of single-family dwelling structures throughout the project. The project site has since been purchased by another developer who is working with a different design for the single-family dwellings and as such has found that some of the proposed locations for stormwater, utilities, and multi-modal pathways is difficult to maneuver. The site as platted today is shown to the right.



SUMMARY OF REQUEST

The applicant, Mike Curry, Big Sky Idaho Corp, on behalf of the owner Timbered Ridge Homes, LLC, is requesting the approval of a Vacation of Easement of approximately 0.06 acres on the east side of North Reed Road, approximately 75' north of North snowflake Lane, and continuing north and west of West Monashee Lane. The areas include portions of multiple lots within the planned unit development, shown below.



LOCATION

The easement is located east of North Reed Road as shown above.

LEGAL DESCRIPTION

Legal description(s) are attached as Exhibit "A".

ANALYSIS

The analysis is organized according to the nature of the Vacation requested in accordance with Idaho Statute(s) §50-1325, §50-311, §50-1306(A), which can be found in their entirety in the Appendix. Those items of the analysis, which are required of all Vacations, can be found in the appendix and are made a part of this staff review. Those items, which are more site specific, shall be identified in the analysis provided here. The Comprehensive Plan does not provide any guidance towards Vacation requests.

Idaho Statute §50-1325 Easements – Vacation of. Easements shall be vacated in the same manner as streets.

Idaho Statute §50-1306(A) Vacation of Plats – Procedure.

- (1) Any person, persons, firm, association, corporation or other legally recognized form of business desiring to vacate a plat or any part thereof must petition the city council if it is located within the boundaries of a city, or the county commissioners if it is located within the unincorporated area of the county. Such petition shall set forth particular circumstances of the requests to vacate; contain a legal description of the platted area or property to be vacated; the names of the persons affected thereby, and said petition shall be filed with the city clerk.

Application with required documents for the easement to be vacated was received on October 22, 2025.

- (2) Written notice of public hearing on said petition shall be given by first class mail, certified mail, or certified mail with return receipt at least ten (10) days prior to the date of public hearing to all property owners within three hundred (300) feet of the boundaries of the area described in the petition. Such notice of public hearing shall also be published once a week for two (2) successive weeks in the official newspaper of the city, the last of which shall be not less than seven (7) days prior to the date of said hearing; provided, however, that in a proceeding as to the vacation of all or a portion of a cemetery plat where there has been no interment, or in the case of a cemetery being within three hundred (300) feet of another plat for which a vacation is sought, publication of the notice of hearing shall be the only required notice as to the property owners in the cemetery.

Agency notices were sent on October 27, 2025, and revised and sent again on November 19, 2025, Adjacent Property Notices were sent on November 21, 2025, Public Service Announcements were sent on November 21, 2025, Website was posted on ??, and Legal Notice was published on November 22 and November 29, 2025.

- (3) When the procedures set forth herein have been fulfilled, the city council may grant the request to vacate with such restrictions as they deem necessary in the public interest.

Public Hearing is scheduled for December 9, 2025, to hear the request.

- (4) If a petition to vacate is brought before county commissioners, and the plat or part thereof that is the subject of the petition is located within one (1) mile of the boundaries of any city, the county

commissioners shall cause written notice of the public hearing on the petition to be given to the mayor or chief administrative officer of the city by regular mail at least thirty (30) days prior to the date of public hearing.

Not applicable to this request.

- (5) In the case of easements granted for gas, sewer, water, telephone, cable television, power, drainage, and slope purposes, public notice of intent to vacate is not required. Vacation of these easements shall occur upon the recording of the new or amended plat, provided that all affected easement holders have been notified by first class mail, certified mail, or certified mail with return receipt of the proposed vacation and have agreed to the same in writing.

The language as platted reads as follows: a) the face of the plat – 35' multimodal path, utility and drainage easement and b) in the ownership block – The Owners hereby dedicate to the City of Hayden a 10-foot right-of-way along Honeysuckle Avenue and a 60-foot right-of-way along Reed Road. Together with a multi-modal path, utility and drainage easement, that varies in width from 15 feet to 25 feet, along Honeysuckle Avenue and a multi-modal path, utility and drainage easement, that varies in width from 20 feet to 35 feet, along Reed Road , as shown hereon.

In the agency notice attached, staff identifies that with respect to this section: “In accordance with Idaho State Statutes, 50-1306(A)(5), the City is required to have on file written acknowledgement of this notice from the utilities which may be located within this easement area or who are anticipating use of this easement area and concerns or items which must be addressed, should the City approve the request for vacation.” The responses received to date are attached.

- (6) When public streets or public rights-of-way are located within the boundary of a highway district, the highway district commissioners shall assume the authority to vacate said public streets and public rights-of-way as provided in section 40-203, Idaho Code.

Not applicable to this request.

- (7) All publication costs shall be at the expense of the petitioner.

Noticing deposit is collected at the time of application for the publication, mailing, and posting costs of notification.

- (8) Public highway agencies acquiring real property within a platted subdivision for highway right-of-way purposes shall be exempt from the provisions of this section.

Not applicable to this request.

- (9) Land exclusive of public right-of-way that has been subdivided and platted in accordance with this chapter need not be vacated in order to be replatted.

Not applicable to this request.

- (10) Any sender of a written notice by first class mail, certified mail, or certified mail with return receipt sent pursuant to this section shall retain proof of mailing such notice, to be produced upon request.

ADDITIONAL INFORMATION

Notice and Comments

Upon completion of properly noticed agencies, adjacent properties, and the public the following comments have been received at the time of this staff review.

In response to the request for comment,

From Agencies:

1. On October 30, 2025, the Hayden Area Regional Sewer Board responded with “no comments”.
2. On October 28, 2025, the Idaho Transportation Department responded with “No comment”.
3. On November 19, 2025, the North Kootenai Water & Sewer District responded with “no comment”.
4. On November 3, 2025, the Northern Lakes Fire Protection District responded with requirements at the time of future development and/or construction of the project site.

From the public:

The Adjacent Property Notices (APO) and required public notices to include the posting of the staff review on the City’s website shall occur after the Staff Review is completed. Public comments received during the notice period will be included within the record of the City Council public hearing.

Appendix

APPENDIX

Vacation of Right-of-Way/Easement

IDAHO STATE LAW	1
Statute 50-1306(A)	1
Statute 50-1321	2
Statute 50-1325	2
Statute 55-2202	2
Statute 50-311	4

IDAHO STATE LAW

Statute 50-1306(A)

50-1306A. Vacation of plats — Procedure. (1) Any person, persons, firm, association, corporation or other legally recognized form of business desiring to vacate a plat or any part thereof must petition the city council if it is located within the boundaries of a city, or the county commissioners if it is located within the unincorporated area of the county. Such petition shall set forth particular circumstances of the requests to vacate; contain a legal description of the platted area or property to be vacated; the names of the persons affected thereby, and said petition shall be filed with the city clerk.

(2) Written notice of public hearing on said petition shall be given by first class mail, certified mail, or certified mail with return receipt at least ten (10) days prior to the date of public hearing to all property owners within three hundred (300) feet of the boundaries of the area described in the petition. Such notice of public hearing shall also be published once a week for two (2) successive weeks in the official newspaper of the city, the last of which shall be not less than seven (7) days prior to the date of said hearing; provided, however, that in a proceeding as to the vacation of all or a portion of a cemetery plat where there has been no interment, or in the case of a cemetery being within three hundred (300) feet of another plat for which a vacation is sought, publication of the notice of hearing shall be the only required notice as to the property owners in the cemetery.

(3) When the procedures set forth herein have been fulfilled, the city council may grant the request to vacate with such restrictions as they deem necessary in the public interest.

(4) If a petition to vacate is brought before county commissioners, and the plat or part thereof that is the subject of the petition is located within one (1) mile of the boundaries of any city, the county commissioners shall cause written notice of the public hearing on the petition to be given to the mayor or chief administrative officer of the city by regular mail at least thirty (30) days prior to the date of public hearing.

(5) In the case of easements granted for gas, sewer, water, telephone, cable television, power, drainage, and slope purposes, public notice of intent to vacate is not required. Vacation of these easements shall occur upon the recording of the new or amended plat, provided that all affected easement holders have been notified by first class mail, certified mail, or certified mail with return receipt of the proposed vacation and have agreed to the same in writing.

- (6) When public streets or public rights-of-way are located within the boundary of a highway district, the highway district commissioners shall assume the authority to vacate said public streets and public rights-of-way as provided in section [40-203](#), Idaho Code.
- (7) All publication costs shall be at the expense of the petitioner.
- (8) Public highway agencies acquiring real property within a platted subdivision for highway right-of-way purposes shall be exempt from the provisions of this section.
- (9) Land exclusive of public right-of-way that has been subdivided and platted in accordance with this chapter need not be vacated in order to be replatted.
- (10) Any sender of a written notice by first class mail, certified mail, or certified mail with return receipt sent pursuant to this section shall retain proof of mailing such notice, to be produced upon request.

Statute 50-1321

50-1321. Necessity for consent of adjoining owners — Acknowledgment and filing of consent — Limitation on rule — Prerequisites to order of vacation. No vacation of a public street, public right-of-way or any part thereof having been duly accepted and recorded as part of a plat or subdivided tract shall take place unless the consent of the adjoining owners be obtained in writing and delivered to the public highway agency having jurisdiction over said public street or public right-of-way. Such public street or public right-of-way may, nevertheless, be vacated without such consent of the owners of the property abutting upon such public street or public right of way when such public street or public right-of-way has not been opened or used by the public for a period of five (5) years and when such nonconsenting owner or owners have access to the property from some other public street, public right-of-way or private road. However, before such order of vacation can be entered, it must appear to the satisfaction of the public highway agency that the owner or owners of the property abutting said public street or public right-of-way have been served with notice of the proposed abandonment in the same manner and for the same time as is now or may hereafter be provided for the service of the summons in an action at law. Any vacation of lands within one (1) mile of a city shall require written notification to the city by regular mail at least thirty (30) days prior to the vacation.

Statute 50-1325.

50-1325. Easements — Vacation of. Easements shall be vacated in the same manner as streets.

Statute 55-2202

55-2202. Definitions. As used in this chapter:

- (1) "Administrator" means the administrator of the division of occupational and professional licenses.
- (2) "Board" means the damage prevention board.
- (3) "Business day" means any day other than Saturday, Sunday, or a legal, local, state, or federal holiday.
- (4) "Damage" means any impact or exposure that results in the substantial weakening of structural or lateral support of an underground facility, or the penetration, impairment, or destruction of any underground protective coating, housing, or other protective device, or the partial or complete destruction of the facility, or the severance, partial or complete, of any

underground facility to the extent that the project owner or the affected underground facility owner determines that repairs are required.

(5) "Emergency" means any sudden or unforeseen condition that compels immediate action to prevent or resolve:

(a) A clear and present danger to life, health, or property;

(b) An unplanned customer service outage; or

(c) The blockage of roads or transportation facilities.

(6) "Emergency excavation" means an excavation performed in response to an emergency.

(7) "End user" means any customer or consumer of any utility service or commodity provided by an underground facility owner.

(8) "Excavation" means any operation in which earth, rock, or other material in the ground is moved or otherwise displaced by any means including, but not limited to, explosives.

(9) "Excavator" means any person who engages directly in excavation.

(10) "Excavator downtime" means lost time for an excavation project due to failure of one (1) or more stakeholders to comply with applicable damage prevention regulations.

(11) "Hand digging" means any excavation involving nonmechanized tools or equipment that when used properly will not damage underground facilities. Hand digging includes, but is not limited to, hand shovel digging, manual posthole digging, vacuum excavation, and soft digging.

(12) "Identified but unlocatable underground facility" means an underground facility that has been identified but cannot be located with reasonable accuracy.

(13) "Identified facility" means any underground facility that is indicated in the project plans as being located within the area of proposed excavation.

(14) "Locatable underground facility" means an underground facility that can be field-marked with reasonable accuracy.

(15) "Locator" means a person who identifies and marks the location of an underground facility owned or operated by an underground facility owner.

(16) "Marking" means the use of stakes, paint, or other clearly identifiable materials to show the field location of underground facilities, in accordance with the current color code standard of the American public works association. Markings shall include identification letters indicating the specific type of the underground facility.

(17) "Notice of emergency excavation" means an excavator call to a one-number notification service not less than two (2) hours prior to commencing the emergency excavation to provide a description of the emergency, the location of the emergency excavation area, contact information for an individual with the excavator who may be reached throughout the emergency, and expected time and date of the emergency excavation.

(18) "One-number notification service" means a service through which a person can notify owners of underground facilities and request field-marking of their underground facilities.

(19) "Person" means an individual, partnership, association, corporation, a state, a city, a county, or any subdivision or instrumentality of a state, and its employees, agents, or legal representatives.

(20) "Public right-of-way" means the area on, below, or above a public roadway, highway, street, lane, path, sidewalk, alley, or other right-of-way dedicated for compatible uses.

(21) "Reasonable accuracy" or "reasonably accurate" means location within twenty-four (24) inches horizontally of the outside dimensions of each side of an underground facility.

(22) "Rural underground facility owner" means an underground facility owner that is a public utility or a member-owned cooperative that serves fewer than five thousand (5,000) total customers in a county or counties with populations that do not exceed fifty thousand (50,000) people.

(23) "Service lateral" means any underground facility located in a public right-of-way or underground facility easement that is used to convey water (unless being delivered primarily for irrigation), stormwater, or sewage and connects an end user's building or property to an underground facility owner's main utility line.

(24) "Soft digging" means any excavation using tools or equipment that utilize air or water pressure as the direct means to break up soil or earth for removal by vacuum excavation.

(25) "Stakeholder" means any party with an interest in protecting underground facilities including, but not limited to, persons, property owners, underground facility owners, excavators, contractors, cities, counties, highway districts, railroads, public entities that deliver irrigation water and those engaged in agriculture.

(26) "Underground facility" means any item buried or placed belowground for use in connection with the storage or conveyance of water (unless being delivered primarily for irrigation), stormwater, sewage, electronic, telephonic or telegraphic communications, cable television, electric energy, petroleum products, gas, gaseous vapors, hazardous liquids, or other substances and includes but is not limited to pipes, sewers, conduits, cables, valves, lines, wires, manholes, attachments, and those parts of poles or anchors belowground.

(27) "Underground facility easement" means a nonpossessory right to operate, control, bury, install, maintain, or access an underground facility.

(28) "Underground facility owner" means any person who owns or operates an underground facility or who provides any utility service or commodity to an end user via an underground facility.

Statute 50-311

50-311. Creation — Vacation of streets — Eminent domain — Reversion of vacated streets. Cities are empowered to: create, open, widen or extend any street, avenue, alley or lane, annul, vacate or discontinue the same whenever deemed expedient for the public good; to take private property for such purposes when deemed necessary, or for the purpose of giving right of way or other privileges to railroad companies, or for the purpose of erecting malls or commons; provided, however, that in all cases the city shall make adequate compensation therefor to the person or persons whose property shall be taken or injured thereby. The taking of property shall be as provided in [title 7](#), chapter 7, Idaho Code. The amount of damages resulting from the vacation of any street, avenue, alley or lane shall be determined, under such terms and conditions as may be provided by the city council. Provided further that whenever any street, avenue, alley or lane shall be vacated, the same shall revert to the owner of the adjacent real estate, one-half (1/2) on each side thereof, or as the city council deems in the best interests of the adjoining properties, but the right of way, easements and franchise rights of any lot owner or public utility shall not be impaired thereby. In cities of fifty thousand (50,000) population or more in which a dedicated alley has not been used as an alley for a period of fifty (50) years shall revert to the owner of the adjacent real estate, one-half (1/2) on each side thereof, by operation of the law, but the existing rights of way, easements and franchise rights of any lot owner or public utility shall not be impaired thereby.

Exhibit A

Exhibit A

LEGAL DESCRIPTION EASEMENT VACATION

PORTIONS OF ADJUSTED LOT 6 AND ADJUSTED LOT 5, BLOCK "C", HONEYSUCKLE GLADE 1st ADD.

A TRACT OF LAND BEING PORTIONS OF ADJUSTED LOT 5 AND ADJUSTED LOT 6, BLOCK "C", HONEYSUCKLE GLADE 1st ADDITION AS RECORDED IN QUITCLAIM DEED INSTRUMENT NUMBER 3006277000, KOOTENAI COUNTY RECORDS; SAID TRACT DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHEAST CORNER OF SAID ADJUSTED LOT 5; THENCE ALONG THE SOUTH LINE THEREOF, SOUTH 89°57'05" WEST, 15.75 FEET TO THE TRUE *POINT-OF-BEGINNING*;

THENCE CONTINUING ALONG SAID SOUTH LOT LINE, SOUTH 89°57'05" WEST, 24.84 FEET;

THENCE LEAVING SAID SOUTH LINE, NORTH 34°27'49" WEST, 61.90 FEET TO THE POINT OF TANGENT CURVATURE TO THE LEFT;

THENCE NORTHWESTERLY, 10.06 FEET ALONG SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 11°31'36" AND A CHORD BEARING NORTH 40°13'37" WEST, 10.04 FEET TO THE POINT OF NON-TANGENT CUSP OF A CURVE TO THE RIGHT;

THENCE SOUTHEASTERLY, 89.68 FEET ALONG SAID CURVE HAVING A RADIUS OF 165.00 FEET, A CENTRAL ANGLE OF 31°08'23" AND A CHORD BEARING SOUTH 48°30'44" EAST, 88.58 FEET RETURNING TO THE POINT
-OF-BEGINNING.

CONTAINING 1055 SQUARE FEET, MORE OR LESS;

AND

PORTION OF ADJUSTED LOT 6, BLOCK "C", HONEYSUCKLE GLADE 1st ADD.

TWO TRACTS OF LAND BEING A PORTION OF ADJUSTED LOT 6, BLOCK "C", HONEYSUCKLE GLADE 1st ADDITION AS RECORDED IN QUITCLAIM DEED INSTRUMENT NUMBER 3006277000, KOOTENAI COUNTY RECORDS; SAID TRACT DESCRIBED AS FOLLOWS;

TRACT 1:

COMMENCING AT THE SOUTHWEST CORNER COMMON TO SAID ADJUSTED LOTS; THENCE, SOUTH 85°20'38" WEST, 2.47 FEET TO THE TRUE *POINT-OF-BEGINNING*;

SAID POINT OF BEGINNING BEING THE POINT OF NON-TANGENT CURVATURE TO THE LEFT; THENCE WESTERLY, 1.19 FEET ALONG SAID CURVE HAVING A RADIUS OF 50.00 FEET, A CENTRAL ANGLE OF 01°21'37" AND A CHORD BEARING SOUTH 82°05'13" WEST, 1.19 FEET TO THE POINT OF TANGENCY;

THENCE, SOUTH 81°24'25" WEST, 28.47 FEET;

THENCE, NORTH 00°38'22" EAST, 7.36 FEET TO THE POINT OF NON-TANGENT CURVATURE TO THE RIGHT;

THENCE EASTERLY, 29.43 FEET ALONG SAID CURVE HAVING A RADIUS OF 165.00 FEET, A CENTRAL ANGLE OF 10°13'09" AND A CHORD BEARING SOUTH 84°15'03" EAST, 29.39 FEET RETURNING TO THE POINT-OF-BEGINNING.

CONTAINING 120 SQUARE FEET, MORE OR LESS;

TRACT 2:

COMMENCING AT THE SOUTHWEST CORNER COMMON TO SAID ADJUSTED LOTS; THENCE, SOUTH 81°37'26" WEST, 48.57 FEET TO THE TRUE *POINT-OF-BEGINNING*;

THENCE, SOUTH 81°24'25" WEST, 9.59 FEET TO THE POINT OF TANGENT CURVATURE TO THE LEFT;

THENCE NORTHWESTERLY, 78.38 FEET ALONG SAID CURVE HAVING A RADIUS OF 45.00 FEET, A CENTRAL ANGLE OF 99°47'57" AND A CHORD BEARING NORTH 48°41'37" WEST, 68.84 FEET TO THE POINT OF TANGENCY;

THENCE, NORTH 01°12'22" EAST, 2.12 FEET TO THE POINT OF NON-TANGENT CUSP OF A CURVE TO THE LEFT;

THENCE SOUTHEASTERLY, 71.13 FEET ALONG SAID CURVE HAVING A RADIUS OF 45.00 FEET, A CENTRAL ANGLE OF 90°33'59" AND A CHORD BEARING SOUTH 44°04'37" EAST, 63.95 FEET TO THE POINT OF TANGENCY;

THENCE, SOUTH 89°21'37" EAST, 16.67 FEET RETURNING TO THE POINT-OF-BEGINNING.

CONTAINING 118 SQUARE FEET, MORE OR LESS;

AND

PORTION OF LOT 5, BLOCK "D", HONEYSUCKLE GLADE 1st ADD.

A TRACT OF LAND BEING A PORTION OF LOT 5, BLOCK "D", HONEYSUCKLE GLADE 1st ADDITION AS RECORDED IN BOOK "L" OF PLATS AT PAGE 644, KOOTENAI COUNTY RECORDS AND DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER THEREOF; THENCE ALONG THE NORTH LINE OF SAID LOT 5, NORTH $89^{\circ}57'05''$ EAST, 12.43 FEET TO THE TRUE *POINT-OF-BEGINNING*;

THENCE CONTINUING ALONG SAID NORTH LINE, NORTH $89^{\circ}57'05''$ EAST, 23.53 FEET TO THE POINT OF NON-TANGENT CURVATURE TO THE RIGHT;

THENCE LEAVING SAID NORTH LINE, SOUTHERLY, 37.34 FEET ALONG SAID CURVE HAVING A RADIUS OF 165.00 FEET, A CENTRAL ANGLE OF $12^{\circ}58'02''$ AND A CHORD BEARING SOUTH $05^{\circ}19'04''$ EAST, 37.26 FEET TO THE POINT OF TANGENCY;

THENCE, SOUTH $01^{\circ}09'57''$ WEST, 28.41 FEET TO THE POINT LINE OF SAID LOT 5;

THENCE ALONG SAID SOUTH LOT LINE, SOUTH $89^{\circ}53'04''$ WEST, 15.00 FEET TO THE POINT OF NON-TANGENT CURVATURE TO THE LEFT;

THENCE LEAVING SAID SOUTH LINE NORTHERLY, 66.55 FEET ALONG SAID CURVE HAVING A RADIUS OF 480.98 FEET, A CENTRAL ANGLE OF $07^{\circ}55'41''$ AND A CHORD BEARING NORTH $09^{\circ}52'27''$ WEST, 66.50 FEET RETURNING TO THE POINT-OF-BEGINNING.

CONTAINING 1297 SQUARE FEET, MORE OR LESS;

Applicant's Materials

**VACATION OF EASEMENT
NARRATIVE**

“HONEYSUCKLE GLADE”

**Located In:
City of Hayden Kootenai County, Idaho**

**Prepared by:
Mike Curry @
Big Sky Capital**

August 19, 2025

**BIG SKY CAPITAL
10063 Navion
Hayden, Idaho 83835
(208) 660-2041 Cel (Mike Curry)
mike@bigskyidaho.com**

To Staff of City of Hayden, please find below comments to accompany uploaded documents respectfully requesting a Vacation of Easement associated with subdivision Honeysuckle Glade.

I. Project Summary

- 1. Tax parcel number(s)** HL64400D0050, HL64400C005A and HL64400C006A
- 2. Street address:**
712 and 718 Monashee (Easement adjacent to Reed Rd)
- 3. Property owner(s):**
Timbered Ridge Homes
10063 Navion Dr.
Hayden, Id 83835

Please find attached the following documents:

Title Report / Deeds for affected parcels:

Current title report showing legal descriptions, ownerships and easements are attached.

300' Radius Report

Title company generated radius report

Current Plat (shows current easement) and Proposed Plat of HG II (shows proposed easement):

The attached plat drawings include descriptions of existing and proposed easements.

Narrative:

The narrative will describe the scope of the work and requirements. See below.

Surrounding Area Vicinity Map:

See attached map

Legal Description Word Document describing Easement to be revised

Legal description of easements are attached.

Narrative:

To Staff, Planning and Zoning and City Council Members:

Please accept this as a brief description (Narrative) of the requested amendments to easements.

Background:

We are the current landowners of all parcels associated with this request This project was originally approved and platted in April of 2007.

We have been presenting Plats for recording since 2021 and through this process have made many changes to the original design due to market conditions. The changes have resulted in infrastructure modifications to utilities and hardscapes such as roads, sidewalks and stormwater structures.

We subsequently have come to realize that an easement along Reed Rd that was created through the original platting process in 2007, in its current width is cumbersome to the adjacent lots and additionally provides no benefit to utilities, walkways or stormwater structures beyond the desired width which we show and propose in upcoming Plat of Honeysuckle Glade 2nd Addition. More specifically the easement as it exists is 35' wide and we wish to reduce it to plus or minus 25'.

Through careful evaluation of infrastructure improvements that have already been constructed we see no need for an easement that varies in width and the easement if reduced to 25' will be more than sufficient to accommodate

utilities and the bike / walking pathway along Reed Rd as they currently exist. Additionally, the Reed Rd. corridor is in place meeting City of Hayden standards, and it appears there will be no need to address future accommodations or growth in this area with additional Right of Way or adjacent easements.

Lastly this easement encroaches into the adjacent lots in such a manner that it has a detrimental affect on the building envelopes. While we realize this is not a stand-alone reason for allowing this request, we respectfully request this amendment based on the evidence in total.

As the easement was created through platting process it must be amended through platting process and we understand that this must also be a public hearing process involving Planning and Zoning and ultimately the Hayden City Council hence this request.

We have provided all the current existing documents (ownership, deeds and Plats) and also have prepared the Plat of the next future phase of Honeysuckle Glade as these documents show the existing conditions and the proposed conditions.

Thank you for taking the time to review and process this material. We are available at anytime to provide additional information and or answer questions.

Thank you
Timbered Ridge Homes LLC
And Big Sky Capital

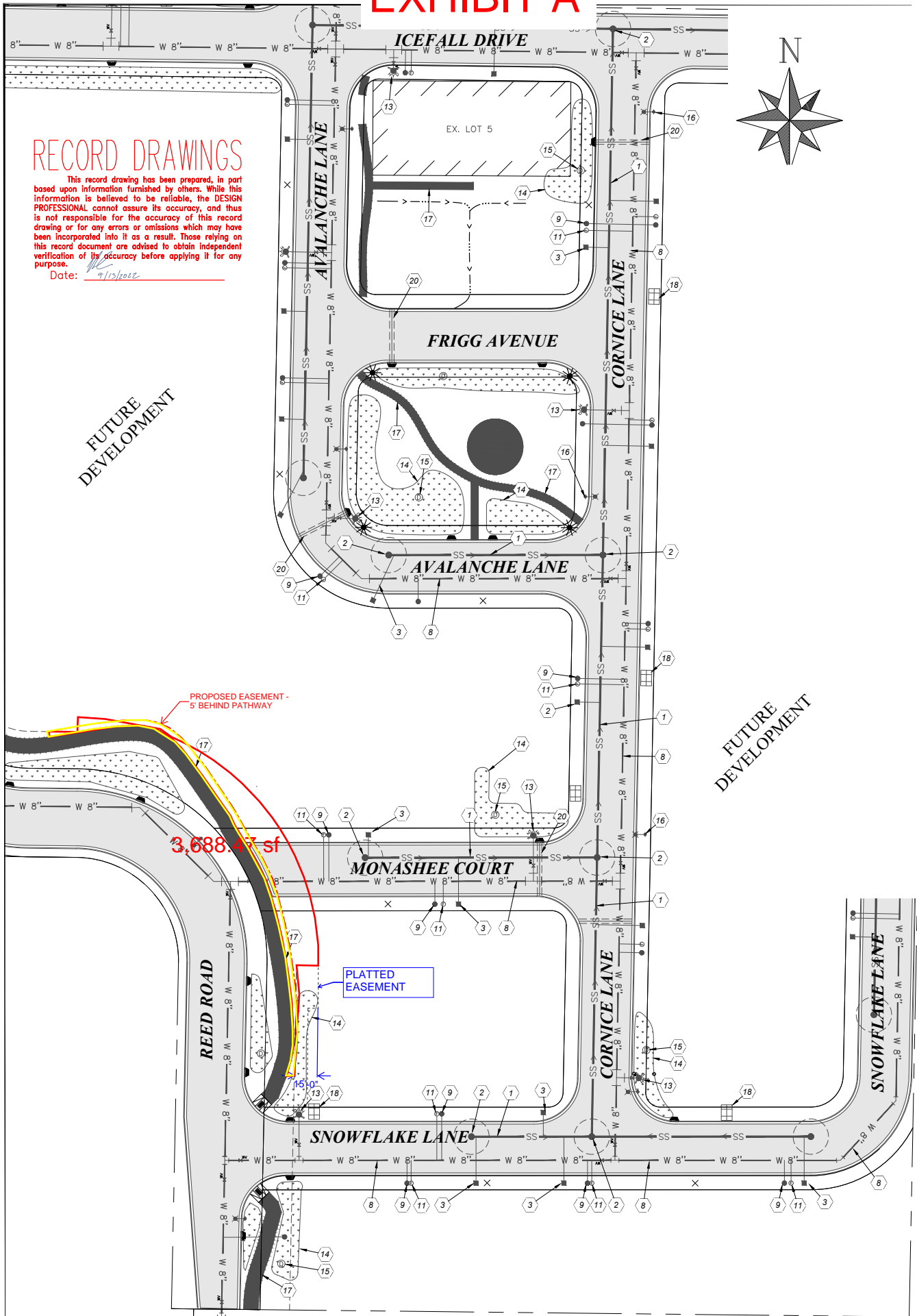
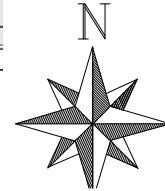
Representative:
Mike Curry
Mike@bigskyidaho.com
1.208.660.2041

EXHIBIT A

RECORD DRAWINGS

This record drawing has been prepared, in part based upon information furnished by others. While this information is believed to be reliable, the DESIGN PROFESSIONAL cannot assure its accuracy, and thus is not responsible for the accuracy of this record drawing or for any errors or omissions which may have been incorporated into it as a result. Those relying on this record document are advised to obtain independent verification of its accuracy before applying it for any purpose.

Date: 7/12/2022



EXISTING FEATURES PLAN

Public Agency Comments
from noticing for
City Council Public Hearing

Deborah Shaver

From: Ken <kwind@Harsb.org>
Sent: Thursday, October 30, 2025 12:06 PM
To: Planning
Subject: PZE-25-0098 Honeysuckle Glade Vacation of Easement

Categories: Deborah

Hello City of Hayden Planning Department,

The Hayden Area Regional Sewer Board has no comment on
PZE-25-0098 Honeysuckle Glade Vacation of Easement

Thanks
Ken Windram
Hayden Area Regional Sewer Board
208-772-0672

Privileged / confidential information may be contained in this message. If you are not the addressee indicated in this message (or responsible for delivery of the message to such person), you may not copy or send this message to anyone. In such case, you should destroy this message and kindly notify the sender by reply e-mail. Although this email has been scanned for the possible presence of computer viruses prior to dispatch, we cannot be held responsible for any viruses or other material transmitted with, or as part of, this email without our knowledge.

Deborah Shaver

From: Robert Beachler <Robert.Beachler@itd.idaho.gov>
Sent: Tuesday, October 28, 2025 9:26 AM
To: Planning
Subject: FW: AGENCY NOTICE - PZE-25-0098, HONEYSUCKLE GLADE VACATION OF EASEMENT

Categories: Deborah

From: Robert Beachler
Sent: Tuesday, October 28, 2025 9:24 AM
To: 'CITY OF HAYDEN - Community Development' <noreply@bsacloud.com>
Subject: RE: AGENCY NOTICE - PZE-25-0098, HONEYSUCKLE GLADE VACATION OF EASEMENT

No Comment from the Idaho Transportation Department.

Robert Beachler
District 1 Planning Program Manager
Idaho Transportation Department
600 W. Prairie Ave
Coeur d'Alene, ID 83815
robert.beachler@itd.idaho.gov
(208) 772-1216
Office Hours M-TH 6-4:30

From: CITY OF HAYDEN - Community Development <noreply@bsacloud.com>
Sent: Monday, October 27, 2025 3:32 PM
To: Robert Beachler <Robert.Beachler@itd.idaho.gov>
Subject: AGENCY NOTICE - PZE-25-0098, HONEYSUCKLE GLADE VACATION OF EASEMENT

CAUTION: This email originated outside the State of Idaho network. Verify links and attachments BEFORE you click or open, even if you recognize and/or trust the sender. Contact your agency service desk with any concerns.

Good Afternoon:

Please see the attached Agency Notice for the Honeysuckle Glade Vacation of Easement request. Any comments can be sent via email to planning@haydenid.gov by November 10, 2025, to be included in the Staff Analysis. Should you not have comments, an email indicating so is much appreciated. Please let us know if you have any questions.

Deborah Shaver

From: Paul Tucker <PaulT@nkwsd.com>
Sent: Wednesday, November 19, 2025 1:11 PM
To: Planning
Subject: Re: AGENCY NOTICE - REVISED - PZE-25-0098 Honeysuckle Glade Vacation of Easement
Categories: Deborah

No comment, thanks Shannon



Paul Tucker, ICWP

District Manager

NORTH KOOTENAI WATER & SEWER DISTRICT

13649 N. Meyer Road

Rathdrum, ID 83858

License #

DWD3-25890

DWT1-26014

WWC4-25891

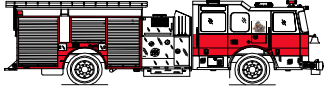
Office: (208) 687-6593

pault@nkwsd.com

www.nkwsd.com

Northern Lakes Fire Protection District

Proudly serving the areas of and surrounding Hayden and Rathdrum



Hayden Area (208) 772-5711 • Fax: (208) 772-3044
Rathdrum Area (208) 687-1815 • Fax (208) 687-2088
www.northernlakesfire.com

November 3, 2025

City of Hayden Community Development
8930 N. Government Way
Hayden, ID 83835

Attn: Shannon Drappo, Planner

The Northern Lakes Fire District has reviewed the request for a Vacation of Easement for Big Sky Idaho Corp, located on the east side of North Reed Rd. north of Snowflake Lane as part of Honeysuckle Glade.

The Fire District approves of the Vacation of Easement with the following conditions.

- Any future changes to this development will have to be approved by the Fire District.
- No portion of the structure shall impede access to neighboring properties or affect neighboring properties in regards to separation of structures.
- No portion of the structure shall protrude into existing roadways or reduce emergency vehicle response.
- Contact Northern Lakes Fire District at time of construction for any additional district requirements.

The above requirements shall not conflict with, but may be more restrictive than, requirements of the City of Hayden.

If you have any questions please call 208-772-5711.

Thank you,

Tyler Drechsel

Tyler Drechsel
Fire Marshal

From: CITY OF HAYDEN - Community Development <noreply@bsacloud.com>
Sent: Wednesday, November 19, 2025 12:29 PM
To: Paul Tucker <PaulT@nkwsd.com>
Subject: AGENCY NOTICE - REVISED - PZE-25-0098 Honeysuckle Glade Vacation of Easement

Good afternoon,

Pursuant to Idaho State Code 50-1306A, the City is required to have written acknowledgement from each affected Agency with a Vacation of Easement. We are re-sending the Agency Notice to you for the above-referenced application and will also send it via USPS today. Please submit your acknowledgement and any conditions necessary pertaining to your Agency by December 2, 2025. You can email your response to planning@haydenid.gov. If you have any questions, please do not hesitate to reach out. Thank you for your time and cooperation. Have a great day!

Sincerely,
Shannon Drappo
Planner



Memo

To: Mayor Davis and Members of the City Council

From: Donna Phillips, Community Development Director

Date: December 4, 2025

Agenda Item: PZE-25-0098 Honeysuckle Glade Vacation of Easement Request– Public Comments Received

Agenda Item Location

Public Hearing

Recommended Action or Motion

The City Council should take the information provided as public comments into consideration during their analysis and deliberation of the proposed request.

Summary

During the review of the proposal, agency notices are requested concurrent with the staff review analysis. If received in a timely manner, they are included in the staff review. If, however, they are received after the staff review is posted and prior to the public hearing, those comments are included within this memo to the Council. Public comments received as a result of noticing and prior to the public hearing are summarized below in date order as they were received and all of the comments received identified in this memo are attached.

- In Support – Elk Summit Properties
- In Support – Big Sky Capital
- Neutral – Panhandle Health District responded with “no comments at this time”.
- Neutral – Kootenai Electric Cooperative responded with “no concern...KEC does not service any members within Honeysuckle Glade.”
- In Support – Avista Corporation responded “We have reviewed the request and are okay with the reduced utility easement at the location detailed in the attached notice.”

Fiscal Impact

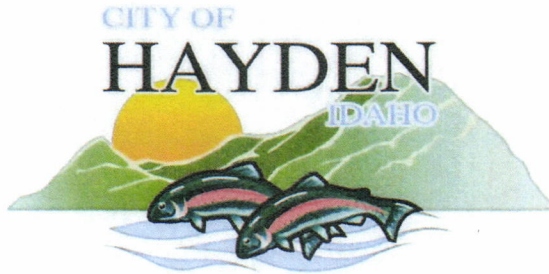
Not Applicable

Budget Funding Source / Transfer Request

Not Applicable

Attachment

Comments as received



8930 N. Government Way | Hayden, ID 838335 | Phone: 208-772-4411 | Web: www.haydenid.gov

NOTICE OF PUBLIC HEARING

Hayden City Council will hold a public hearing to consider any and all comments regarding the following request:

Case No. PZE-25-0098 Honeysuckle Glade Vacation of Easement, Mike Curry, Big Sky Idaho Corp, on behalf of the owner Timbered Ridge Homes, LLC, is requesting approval of a Vacation of Easement of approximately 0.06 acres on the east side of North Reed Road, approximately 75' north of North Snowflake Lane, and continuing north and west of West Monashee Lane. The areas include portions of multiple lots within the Planned Unit Development, shown on Exhibit A, attached. It should be noted that the owners recorded a Record of Survey with Kootenai County without the City of Hayden's approval, thus the aerial map from Kootenai County's GIS Mapping Tool indicates a parcel layout the City has not recognized. Given this situation, the owners have recently applied for a Boundary Line Adjustment with the City, and it is currently under review. The subject property is approximately 0.06 acres on the east side of Public Right-of-Way along the east side of N Reed Road, and between West Snowflake Lane and West Avalanche Lane. Adequate Right-of-Way width is proposed to remain to match the surrounding area.

The Staff Analysis is available on the City's website at www.haydenid.gov under "Upcoming Public Hearings".

The public hearing will begin at 5:00 p.m. Tuesday, December 9, 2025, in the Council Chambers at the City of Hayden, located at 8930 N Government Way, Hayden, Idaho.

We request your comments in person at the public hearing and/or by submitting by mail the bottom portion of this form or via e-mail at planning@haydenid.gov. If you wish to speak on behalf of a group, please call our Planning Department to confirm at (208) 209-2021.

The agenda will be posted at City Hall and on the City's website at www.haydenid.gov 48-hours before the meeting date. If you require special accommodation, please contact the Community Development Department at (208) 209-2022 at least 24 hours prior to the date of the hearing.

See additional information on the back of this letter.

Please cut on the line below

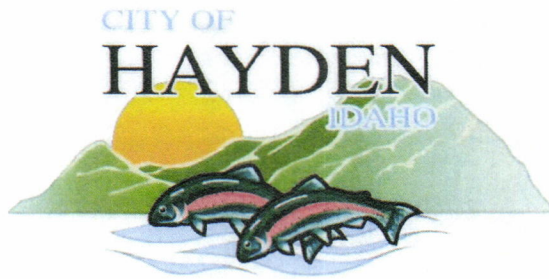
Case No. PZE-25-0098, Honeysuckle Glade Vacation of Easement

Name: elk Summit Prop E-mail: keohag@elk-summit.com

Address: 10063 N Naxon Drive Hayden

Please check the appropriate box: ☒ In support of ☐ Neutral/Uncommitted ☐ Opposed

Comments: _____



8930 N. Government Way | Hayden, ID 838335 | Phone: 208-772-4411 | Web: www.haydenid.gov

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See additional information on the back of this letter.

Please cut on the line below

Case No. PZE-25-0098, Honeysuckle Glade Vacation of Easement

Name: Big Sky Capital E-mail: leona@byskyidaho.com

Address: 10063 N Navion Drive

Please check the appropriate box: ☒ In support of ☐ Neutral/Uncommitted ☐ Opposed

Comments: _____

Deborah Shaver

From: Corey Koerner <ckoerner@phd1.idaho.gov>
Sent: Tuesday, December 2, 2025 9:38 AM
To: Planning
Subject: PZE-25-0098

Categories: Deborah

Hello,

In regards to PZE-25-0098; PHD has no comments at this time.

Thank you.

Corey Koerner, REHS

Registered Environmental Health Specialist

Panhandle Health District 1

8500 N. Atlas Road

Hayden, ID 83835

O: (208) 415-5215

C: (208) 819-0411

[Ckoerner@phd1.idaho.gov](mailto:ckoerner@phd1.idaho.gov)

Deborah Shaver

From: Lois Duncan <lduncan@kec.com>
Sent: Tuesday, November 25, 2025 4:32 PM
To: Planning
Cc: Lori Cogley
Subject: AGENCY NOTICE - REVISED - PZE-25-0098 Honeysuckle Glade Vacation of Easement

Categories: Deborah

Some people who received this message don't often get email from lduncan@kec.com. [Learn why this is important](#)

Shannon,

Kootenai Electric has no concern with the City of Hayden vacating its easement related to this project. KEC does not service any members within Honeysuckle Glade.

Thank you.

Lois Duncan

Lois Duncan | Real Estate Specialist

Kootenai Electric Cooperative | 9014 W. Lancaster Road | Rathdrum, ID 83858
TEL 208-292-3284 | WEB kec.com | OFFICE HOURS Monday - Thursday 6:00 a.m. - 4:30 p.m.



Deborah Shaver

From: Rounds, Seth <Seth.Rounds@avistacorp.com>
Sent: Thursday, December 4, 2025 8:46 AM
To: Shannon Drappo; Howard, Jamie
Cc: Donna Phillips; Deborah Shaver; Weingart, LuAnn
Subject: RE: [External] PZE-25-0098 Agency Notice - Response Required
Attachments: Agency Notice - PZE-25-0098 - Revised.pdf

You don't often get email from seth.rounds@avistacorp.com. [Learn why this is important](#)

Good morning Shannon,

Sorry for the delay. I sent a response earlier this week, but it came back undeliverable, so I sent another response to the city's community development email.

We have reviewed the request and are okay with the reduced utility easement at the location detailed in the attached notice.

Thank you,

Seth Rounds
Construction Project Coordinator



1735 N 15th Street
Coeur d'Alene, ID 83814
P 509.495.2432
C 208.761.1158
<http://www.avistautilities.com>

From: Shannon Drappo <sdrappo@haydenid.gov>
Sent: Thursday, December 4, 2025 8:32 AM
To: id-ewa.sfu.mdu.engineering@ziply.com; dylan.owens@tdstelecom.com; Eric W. Shanley, P.E. <eric@lakeshwy.com>; ALIESHA@LAKESHWY.COM; Howard, Jamie <Jamie.Howard@avistacorp.com>; Rounds, Seth <Seth.Rounds@avistacorp.com>; gpatterson@kcgov.us; Kim Stevenson <kstevenson@kcgov.us>; kcair@kcgov.us; heidi.osborn@fatbeam.com; info@fatbeam.com; Nebel, Jason <Jason.Nebel@charter.com>
Cc: Donna Phillips <dphillips@haydenid.gov>; Deborah Shaver <dshaver@haydenid.gov>
Subject: [External] PZE-25-0098 Agency Notice - Response Required
Importance: High

Some people who received this message don't often get email from sdrappo@haydenid.gov. [Learn why this is important](#)

Good morning,

Pursuant to Idaho State Statute 50-1306(A)(5), the City is required to have on file written acknowledgement of the attached Agency Notice from utilities which may be located within the Vacation of Easement request. We have yet to hear from your Agency from our original