



Memo

To: Mayor and Hayden City Council

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

Date: 12/4/2025

Agenda Item: Acceptance of Grant of Easement and Right-of-way Dedication and Acceptance of Public Infrastructure Associated with Hess St North, LLC Site Plan

Agenda Item Location

Consent

Background and Recommended Action or Motion

Hess St North, LLC has submitted site plans for a new commercial structure at 9069 N Hess Street and has provided the dedication of right-of-way and grant of easement, and constructed the frontage improvements required by Hayden City Code 11-4-7(c).

Staff recommends the City Council accept the right-of-way dedication and grant of easement and permit the Mayor to sign on behalf of the City prior to recording with Kootenai County and accept the frontage improvements.

Functional Impact of Authorizing

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

Budget Funding Source / Transfer Request

N/A

Attachment

Grant of Easement and Right-of-Way Dedication

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): Hess St. North, LLC
Grantee(s): City of Hayden
Legal Description: Adjusted Lot 7, Block 4, Davis Center
Assessor's Tax Parcel Number: H-2040-004-007A

GRANT OF EASEMENT

The Grantor(s), **Hess St North, LLC**, an Idaho Limited Liability Company, 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 right-of-way 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 "A-1"** attached

hereto and made a part hereof.

Also, the undersigned hereby requests the Assessor and Treasurer of said County to set-over to the remainder the lien of all unpaid taxes, if any, affecting the property hereby conveyed.

It is understood and agreed that delivery of this Deed 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.

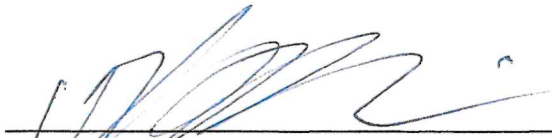
CITY OF HAYDEN

Attest:

City Clerk

By: _____
Mayor

DATED this _____ day of _____, 2025.

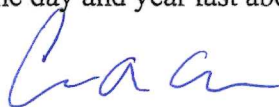


Managing Member of Hess St. North, LLC

STATE OF IDAHO)
) ss
County of Kootenai)

On this 10th day of October 2025, before me, a Notary for the state of Idaho, personally appeared Wade Dabill known, or identified to be a member of the limited liability company Hess St. North, LLC that executed the foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said company, for the uses and purposes therein mentioned, and on oath stated that are authorized to execute said instrument.

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



Notary Public in and for the State of Idaho,
Residing at: Hayden
My commission expires: 12-28-27





Advanced Technology Surveying & Engineering

EXHIBIT A
GRANT OF EASEMENT
DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF LOT 7, BLOCK 4, DAVIS CENTER AS RECORDED WITH KOOTENAI COUNTY IN BOOK "G" OF PLATS AT PAGE 082; SITUATE IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 51 NORTH, RANGE 04 WEST OF THE BOISE MERIDIAN. CITY OF HAYDEN, KOOTENAI COUNTY, IDAHO AND DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 7, THENCE ALONG THE NORTH BOUNDARY OF SAID LOT SOUTH 89°42'33" WEST, 7.51 FEET TO THE TRUE **POINT-OF-BEGINNING**;

THENCE, SOUTH 02°11'04" WEST, 90.10 FEET TO A POINT THE SOUTH LINE OF SAID LOT;

THENCE ALONG SAID SOUTH LINE, SOUTH 89°42'28" WEST, 10.01 FEET;

THENCE, NORTH 02°11'04" EAST, 90.09 FEET TO A POINT ON THE NORTH LINE OF SAID LOT;

THENCE ALONG SAID NORTH LINE, NORTH 89°42'33" EAST, 10.01 FEET RETURNING TO THE POINT-OF-BEGINNING.

CONTAINING 0.021 ACRES OR 901 SQUARE FEET, MORE OR LESS;

TOGETHER WITH AND SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, COVENANTS, RESERVATIONS AND RESTRICTIONS OF RECORD AND IN VIEW.

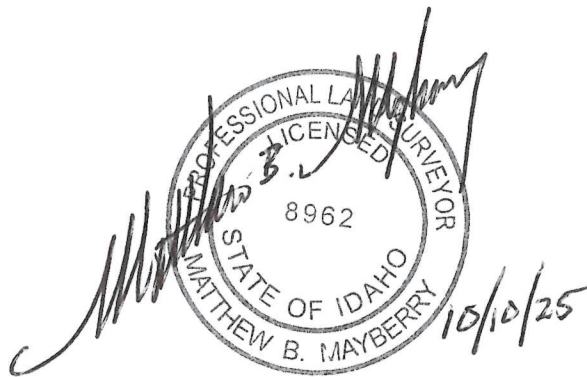
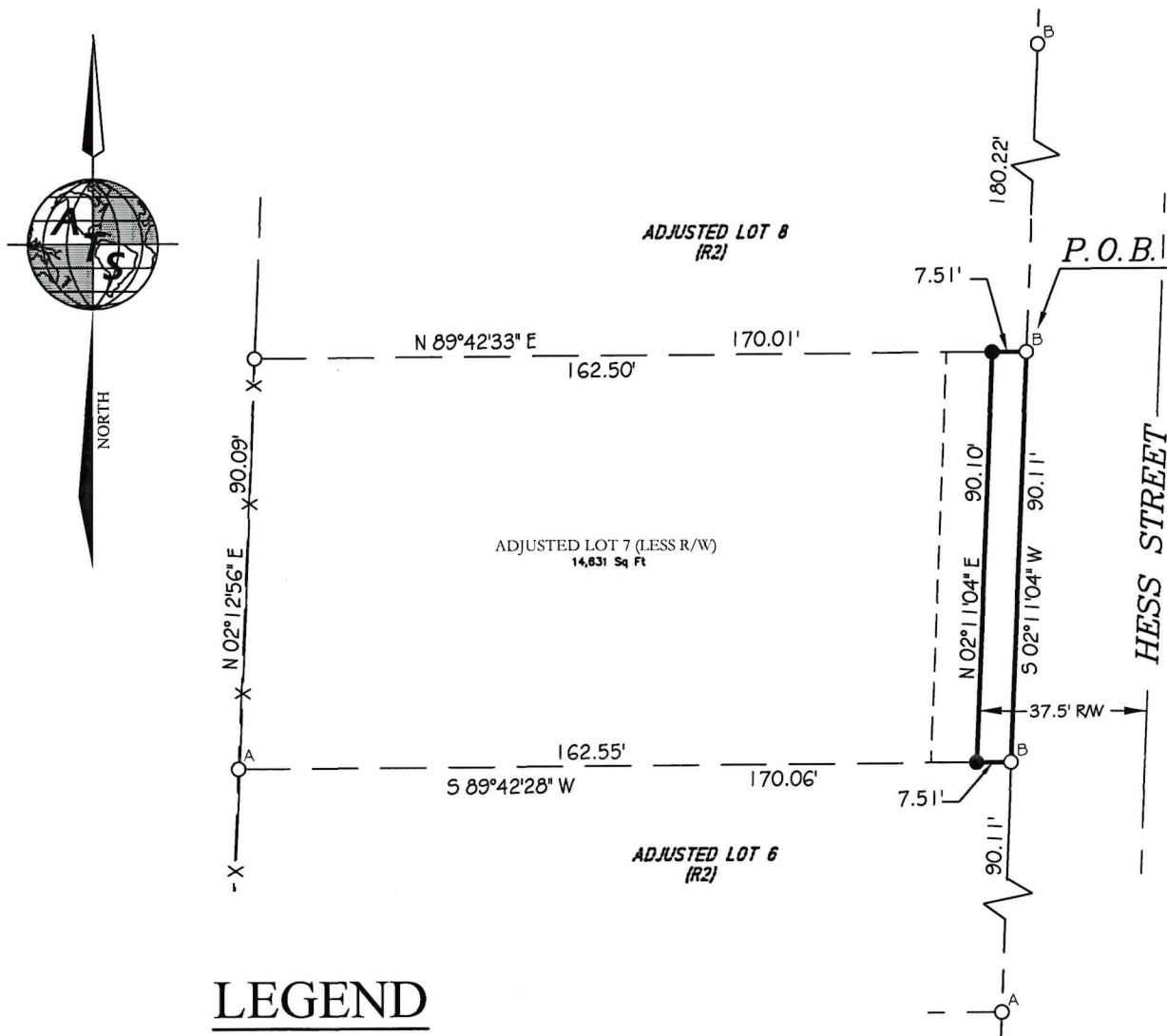


EXHIBIT A-1

RIGHT OF WAY DEDICATION

PORTION OF LOT 7, BLOCK 4, DAVIS CENTER
SECTION 23, TOWNSHIP 51 NORTH, RANGE 04 WEST, B.M.,
CITY OF HAYDEN, KOOTENAI COUNTY, IDAHO



LEGEND

•	SET 5/8" BY 30" REBAR WITH PLASTIC CAP MARKED "ATS PLS 8962"
○	FOUND 5/8" REBAR, NO CAP
○ ^A	FOUND 5/8" REBAR & CAP "ATS PLS 8962" (R-2)
○ ^B	FOUND 5/8" REBAR & CAP "PLS 6602"
□	COMPUTED POINT (NOTHING FOUND OR SET)
—	PROPERTY BOUNDARY
- - -	EXISTING LOT LINES
- - - - -	EASEMENT LINE
— — — — —	R.O.W. CENTER LINE
— X —	EXISTING FENCE
— — — — —	EXISTING R.O.W.

GRAPHIC SCALE



SCALE: 1" = 40'



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INC.

P.O. BOX 3457, HAYDEN IDAHO, 83835
* PH. (208)-772-2745 * FAX (208)-762-7731 *

SCALE: 1"=40'

CHECKED BY: MM
DATE: 08-14-2025

DRAWN BY: TWW
DATE: 08-14-2025

DWG: EXHIBITS
PROJ: 25-093

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Assessor's Tax Parcel Number: H-2040-004-007A

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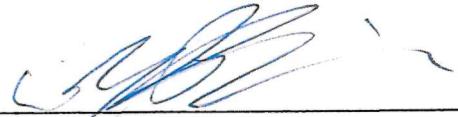
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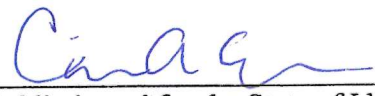
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GIVEN under my hand and official seal the day and year last above written.





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BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 7, WITNESSED BY A 5/8" REBAR & CAP "PLS 6602";

THENCE ALONG THE EAST BOUNDARY OF SAID LOT SOUTH $02^{\circ}11'04"$ WEST, 90.11 FEET TO THE SOUTHEAST CORNER OF SAID LOT 7, WITNESSED BY A 5/8" REBAR & CAP "PLS 6602";

THENCE ALONG THE SOUTH LINE OF SAID LOT, SOUTH $89^{\circ}42'28"$ WEST, 7.51 FEET;

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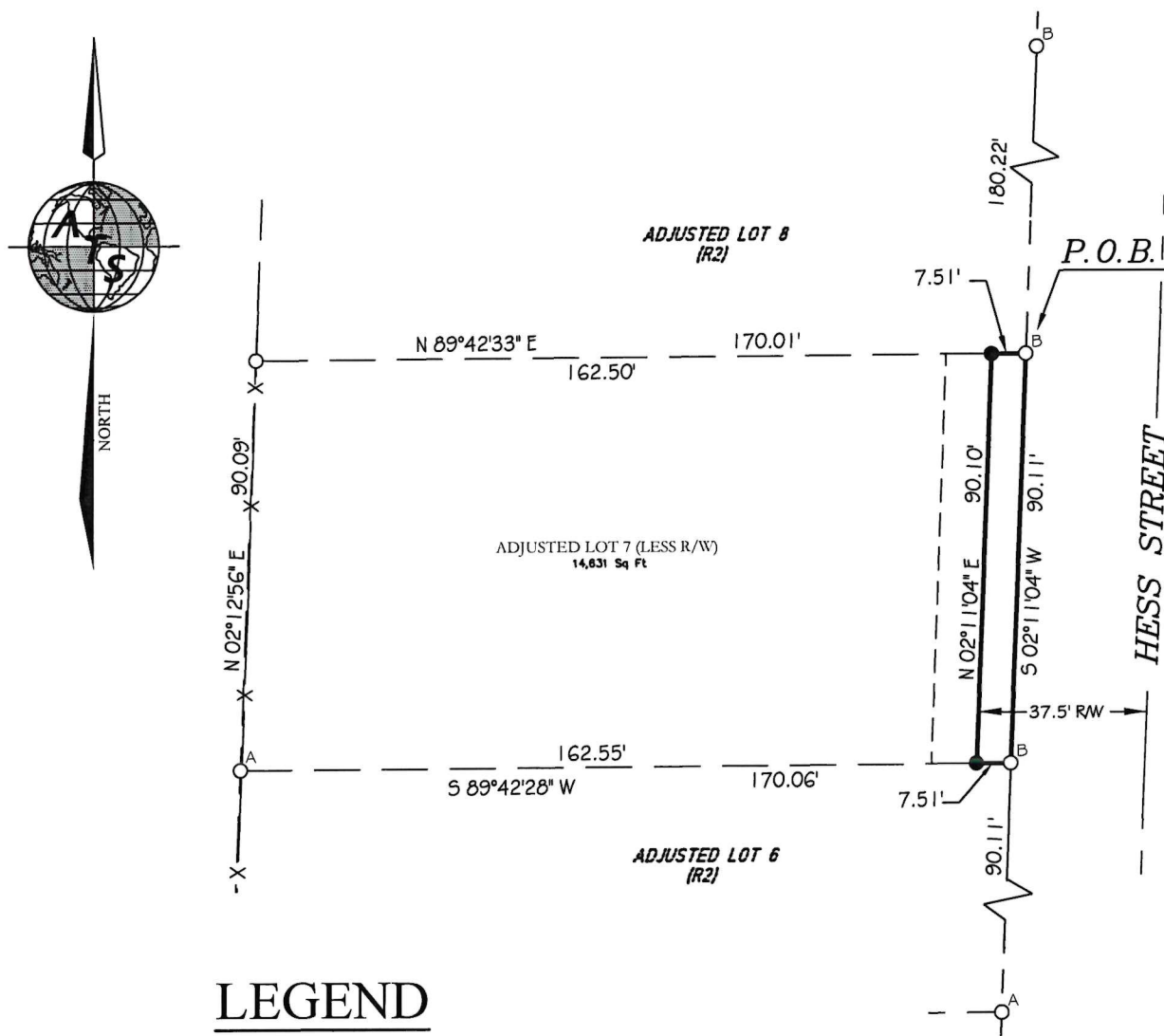
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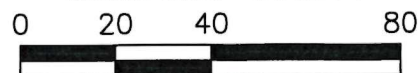
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