

Planning & Zoning Department
Before the Mayor and City Council
21 APRIL, 2025

PUBLIC HEARING ITEM
STAFF REPORT

By Kristi Watkins, Principal Planner

Vacation of an unused portion of existing City of Nampa utility easement on a 3.34 acre parcel in the BC (Community Business) zoning district located at 383 & 395 Caldwell Blvd, Parcels #R0966400000 & R0966300000 (SE 1/4 of S16, T3N, R2W, BM) for Paul Hilbig representing Cobblestone Idaho Propco (VAC-00073-2025).

Original Concept: Removal of an unused portion of an existing City of Nampa utility easement.

(Action: [Decision](#))

PROPERTY DETAILS

Current Jurisdiction/Status: The property is currently in city limits and zoned BC (Community Business).

Surrounding Zoning & Uses:

- **North:** BC (Community Business)- Caldwell Blvd & other commercial properties
- **South:** RML (Limited Multiple Family Residential) - Apartments
- **East:** BC (Community Business)- Caldwell Blvd & other commercial properties
- **West:** BC (Community Business)- Caldwell Blvd & other commercial properties

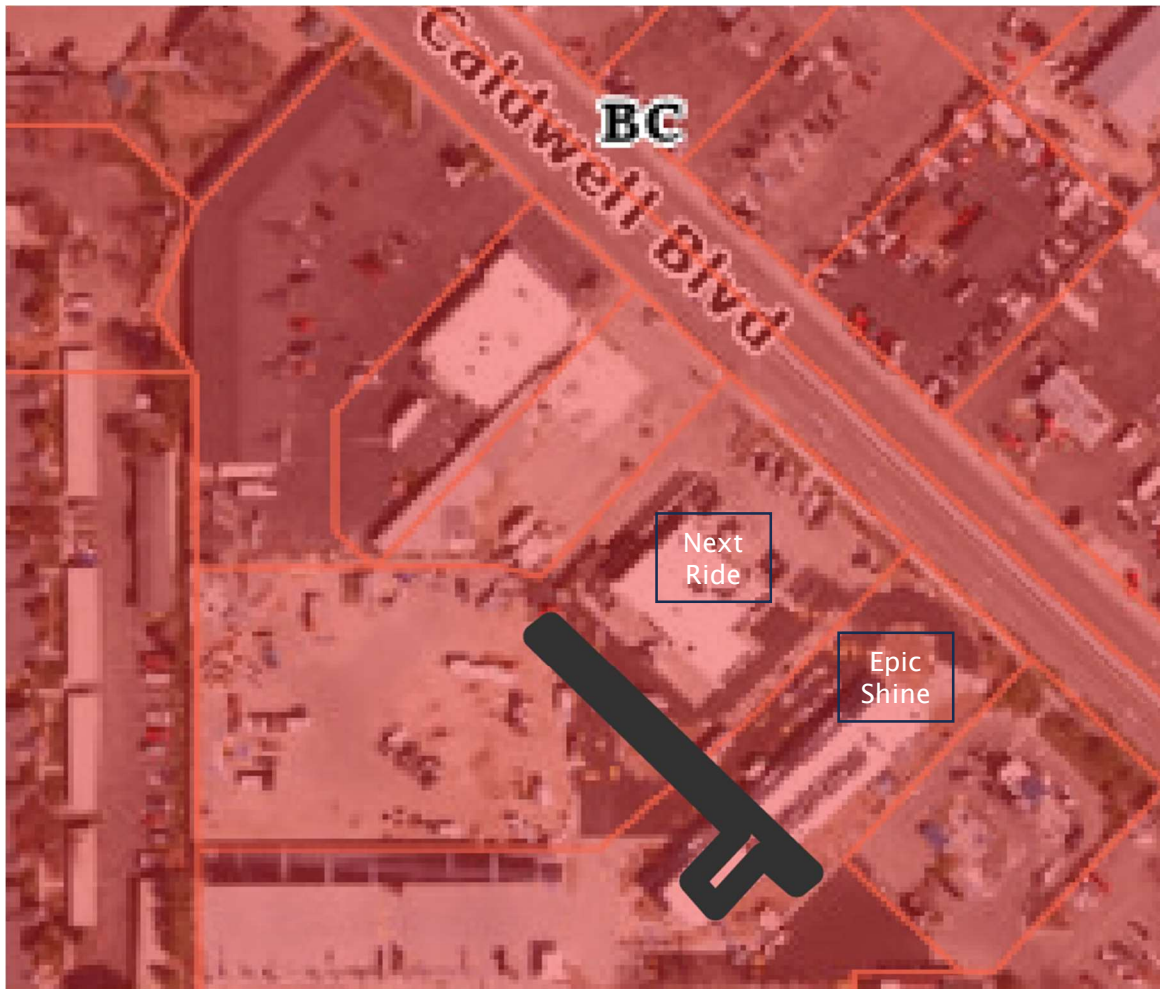
APPLICABLE REGULATIONS

VACATION CODE REFERENCES

10-27-12.D.3: Vacation to Erase Easement or Right-of-Way: Vacation approval shall be required in order to either erase some or all or part of an easement or right-of-way. Vacation approval shall be required in order to move the location of all or part of an already platted and recorded right-of-way or easement. Processing of vacation requests for easements and/or rights-of-way shall be executed in accordance with provisions of Idaho State Code. Right-of-way vacations shall be done by ordinance of the City Council and approved first by the same during a public hearing.

Idaho State Code Section 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.

EXHIBIT



CORRESPONDENCE

Agency/City department comments have been received regarding the vacation of easement request associated with this matter [and report]. Such correspondence, by way of information, as received from agencies or the citizenry regarding the application package [received by noon on April 16, 2025] is hereafter attached to this report. Agency comments that indicate no comment/issues/concerns will not be listed here, but are attached to this staff report.

➤ **Engineering: The City will not vacate easements over any existing mainline.**

Legal Description comments:

- Applicant shall provide exhibit showing existing onsite public mainline locations.
- Applicant shall provide legal description and exhibit for portion of the existing easement to be vacated.

STAFF ANALYSIS

Public Interest

Staff notes that a vacation is permanent. If a vacation were to be approved, it would still apply even if the property were to redevelop in an alternative way.

Land Use

The proposed vacation of easement is not a land use entitlement establishing the type of development that may occur on the property. Land Uses are established through the zoning process already completed for these properties.

Purpose (Applicant's Request):

The easement in question, recorded on April 4, 2019, provides the City of Nampa with a 10-foot-wide area for a sewer and water line. This easement is specific to the City of Nampa and is not a general Public Utility Easement. It currently runs through the area where a car wash was constructed. In 2021, it was incorrectly presumed that the easement had already been vacated by the City.

In 2021, prior to construction, we engaged with Caleb LeClair, Assistant City Engineer, regarding the vacation of this easement to facilitate site development. Written communications from Mr. LeClair in November 2021 indicated that:

- “This easement is specific to the City of Nampa for sewer and water. As such, we should be able to vacate the easement without council action.”
- “A specific water/sewer easement to the City can be vacated by the public works director.”
- “The easement vacation and creation [of the new easement avoiding the building] would occur at the time of the Building Permit. It would essentially be a condition of occupancy to complete that process.”

Despite further discussions on the procedure to vacate the easement and record the new location, we were informed in January 2023 by Mr. LeClair that the City could not locate the recorded easement, even though we provided documentation. As a result, Mr. LeClair stated, “I have to assume [the easement] does not exist.”

Based on these communications, we understood that the easement had either been vacated by the Public Works Director or that no easement existed to vacate. The property subsequently received a building permit and Certificate of Occupancy, and the Epic Shine car wash has been operational for nearly two years.

Under new ownership, however, the easement’s presence on the title report necessitates its official vacation. In September 2024, we re-engaged with the City’s Engineering Department to resolve this matter. Initially, the City Attorney planned to draft paperwork to present the easement vacation to the City Council on November 18, 2024. Since that did not occur, we are now submitting the attached application.

PROPOSED CONDITIONS OF APPROVAL

1. Applicant shall provide exhibit showing existing onsite public mainline locations.
2. Applicant shall provide legal description and exhibit for portion of the existing easement to be vacated.

[Any conditions that the City Council may wish to impose]

FINDINGS OF FACT

Proposed Findings for [Approval](#):

VACATION NCC § 10-27-12.D.3 & Idaho State Code Sections 50-1321 & 50-1325

1. Processing of vacation requests for easements and/or rights-of-way shall be executed in accordance with provisions of Idaho State Code.

- This request was processed in accordance with Idaho State Code 50-1306A.

2. 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.

- Vacating this easement is necessary because the easement is a City easement that is unused and unnecessary and the easement area is needed for the owner to make full use of their property.

Based upon the analysis that was completed utilizing the conclusions of law and Nampa City Code and Idaho State Code, coupled with the findings listed in the staff

report, the project appears to meet all the requirements for a vacation. As a result, staff can reasonably recommend to the City Council that the vacation be approved.

POTENTIAL MOTIONS

APPROVE:

I move to approve the **Vacation of an unused portion of existing City of Nampa utility easement on a 3.34 acre parcel in the BC** zoning district located at 383 & 395 Caldwell Blvd, for Paul Hilbig representing Cobblestone Idaho Propco (VAC-00073-2025) and adopt the Proposed Findings of Fact.

DENY:

I move to deny the request for **Vacation of an unused portion of existing City of Nampa utility easement on a 3.34 acre parcel in the BC** zoning district located at 383 & 395 Caldwell Blvd, for Paul Hilbig representing Cobblestone Idaho Propco (VAC-00073-2025), because _____ (state the code sections and reasoning).

1. **Processing of vacation requests for easements and/or rights-of-way shall be executed in accordance with provisions of Idaho State Code.**
2. **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.**

ATTACHMENTS

- Application
- Vacation Area Exhibit
- Zoning Vicinity Map
- Aerial View
- Agency and Public Correspondence



Planning & Zoning Department

Master Application

Staff Use Only

Project Name: Epic Shine Easement

File Number: VAC-00073-2025

Related Applications: _____

Type of Application

- | | |
|---|--|
| <input type="checkbox"/> Accessory Structure | <input type="checkbox"/> Legal Non-Conforming Use |
| <input type="checkbox"/> Annexation/Pre-Annexation | <input type="checkbox"/> Planned Unit Development/MPC |
| <input type="checkbox"/> Appeal | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Design Review | <input type="checkbox"/> Short |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Preliminary |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Final |
| <input type="checkbox"/> Multi-Family Housing | <input type="checkbox"/> Condo |
| <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Modification | <input type="checkbox"/> Fireworks Stand |
| <input type="checkbox"/> Home Occupation | <input checked="" type="checkbox"/> Vacation |
| <input type="checkbox"/> Daycare | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Kennel License | <input type="checkbox"/> Staff Level |
| <input type="checkbox"/> Commercial | <input type="checkbox"/> Zoning Map/Ordinance Amendment (Rezone) |
| <input type="checkbox"/> Mobile Home Park | <input type="checkbox"/> Other: _____ |

You must attach any corresponding checklists with your application or it will not be accepted

Applicant Name: Paul Hilbig Phone: 208-921-2506

Applicant Address: 1707 N. Palmer Lane Email: _____

City: Eagle State: ID Zip: 83616

Interest in property: ☐ Own ☐ Rent ☒ Other: Developer

Owner Name: Cobblestone Idaho Propco, LLC, an Idaho limited liability company Phone: 847-722-4190

Owner Address: 2 Mid America Plaza, Suite 450 Email: Propertymanagement@spotlessbrands.com

City: Oakbrook Terrace, State: IL Zip: 60181

Contractor Name (e.g., Engineer, Planner, Architect): NA

Firm Name: _____ Phone: _____

Contractor Address: _____ Email: _____

City: _____ State: _____ Zip: _____

Subject Property Information

Address: 383 Caldwell Blvd. & 395 Caldwell Blvd.

Parcel Number(s): ^R09664000 0 & ^R09663000 0 Total acreage: 1.60 & 1.74 Zoning: _____Type of proposed use: ☐ Residential ☒ Commercial ☐ Industrial ☐ Other: _____

Project/Subdivision Name: Epic Shine Easement

Description of proposed project/request: Vacate Unused Utility Easement

Proposed Zoning: NA Acres of each proposed zone: NA

Development Project Information (if applicable)

Lot Type	Number of Lots	Acres
Residential	NA	
Commercial	NA	
Industrial		
Total Common Area		
Internal Roadways	Provide acres only	
Frontage ROW to be dedicated	Provide acres only, if applicable	
Total		

Development Project Information (if applicable)

Minimum residential lot size (s.f.): _____ Maximum residential lot size (s.f.): _____

Gross density: _____ (# of lots divided by gross plat/parcel area)

Subdivision Qualified Open Space: _____ % of gross area _____ acres

Type of dwelling proposed: ☐ Single-family Detached ☐ Single-family Attached (townhouse)☐ Duplex ☐ Multi-family ☐ Condo ☐ Other: _____**Commercial/Industrial/Multi-Family Project Information (if applicable)**

Min. sq. feet of structure: _____ Max building height: _____ Gross Floor Area: _____

Proposed number of residential (multi-family) units: _____

Total number of parking spaces provided : _____

Print applicant name: Paul Hilbig

Applicant signature:  Date: Jan 9, 2025**City Staff**

Received by: JKW Received date: 1/24/2025

January 8, 2025

Planning and Zoning Department
Caldwell, ID

RE: Narrative – Lot Line Adjustment

Attached to this letter is a Vacation of Easement application for Parcel Number 09663000 0 and Parcel Number 09664000 0 within the “Home Subdivision.” Both parcels are owned by Cobblestone Idaho Propco, LLC.

The easement in question, recorded on April 4, 2019, provides the City of Nampa with a 10-foot-wide area for a sewer and water line. This easement is specific to the City of Nampa and is not a general Public Utility Easement. It currently runs through the area where a car wash was constructed. In 2021, it was incorrectly presumed that the easement had already been vacated by the City.

In 2021, prior to construction, we engaged with Caleb LeClair, Assistant City Engineer, regarding the vacation of this easement to facilitate site development. Written communications from Mr. LeClair in November 2021 indicated that:

- “This easement is specific to the City of Nampa for sewer and water. As such, we should be able to vacate the easement without council action.”
- “A specific water/sewer easement to the City can be vacated by the public works director.”
- “The easement vacation and creation [of the new easement avoiding the building] would occur at the time of the Building Permit. It would essentially be a condition of occupancy to complete that process.”
-

Despite further discussions on the procedure to vacate the easement and record the new location, we were informed in January 2023 by Mr. LeClair that the City could not locate the recorded easement, even though we provided documentation. As a result, Mr. LeClair stated, “I have to assume [the easement] does not exist.”

Based on these communications, we understood that the easement had either been vacated by the Public Works Director or that no easement existed to vacate. The property subsequently received a building permit and Certificate of Occupancy, and the Epic Shine car wash has been operational for nearly two years.

Under new ownership, however, the easement’s presence on the title report necessitates its official vacation. In September 2024, we re-engaged with the City’s Engineering Department to resolve this matter. Initially, the City Attorney planned to draft paperwork to present the easement vacation to the City Council on November 18, 2024. Since that did not occur, we are now submitting the attached application.

We appreciate the opportunity to work with you on this matter. Should you have any questions or require further information, please do not hesitate to contact me directly at 208-921-2506 or ph@zokegroup.com.

Thank you,

Paul Hilbig
Landify, LLC

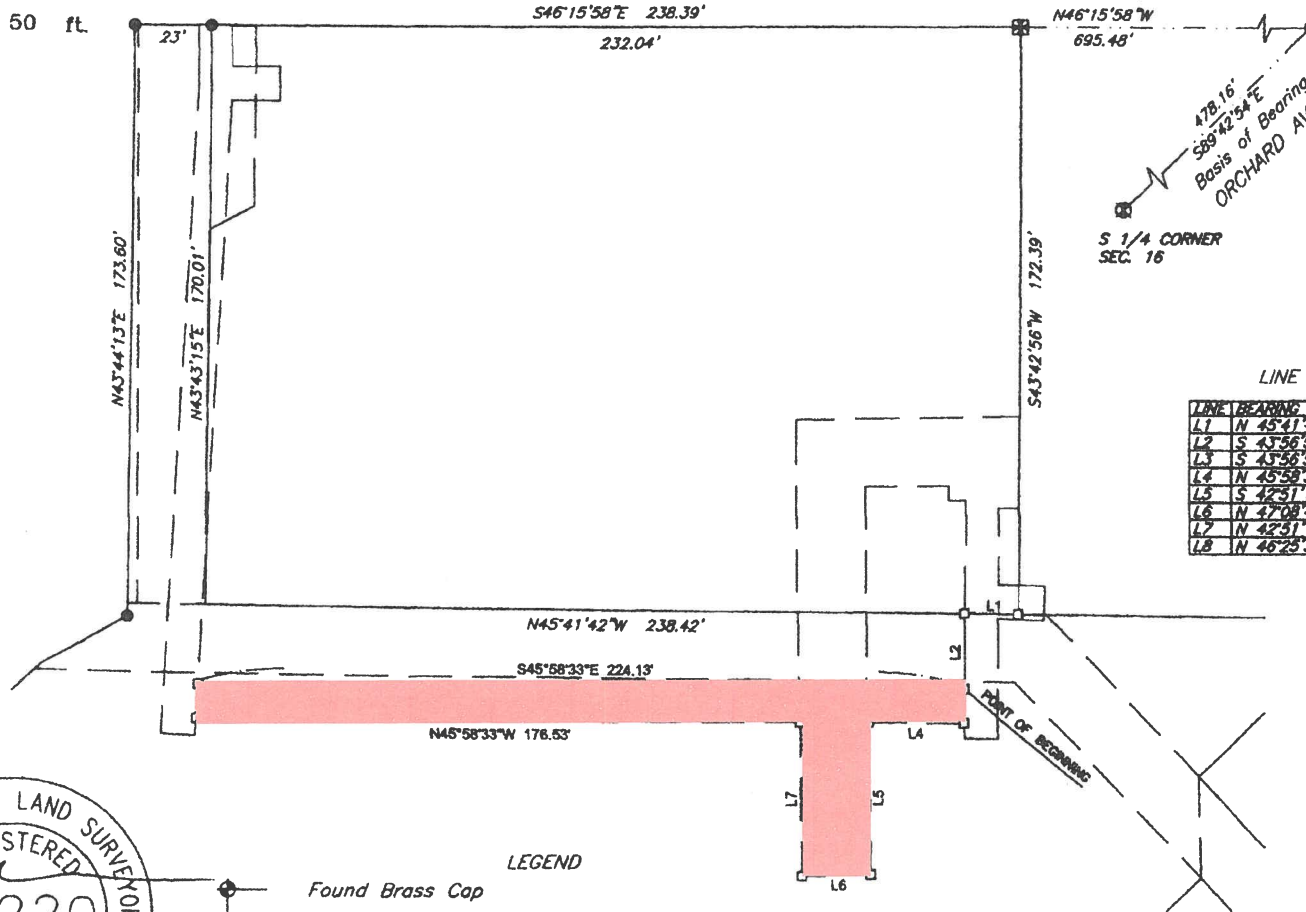
Red Outline Indicates Easement Location



SEWER AND WATER EASEMENT-EXHIBIT B
PORTION OF LOT 7, PLAT OF HOME SUBDIVISION
SE 1/4 SW 1/4 OF SEC. 16, T. 3 N., R. 2 W., B.M.
CITY OF NAMPA, IDAHO

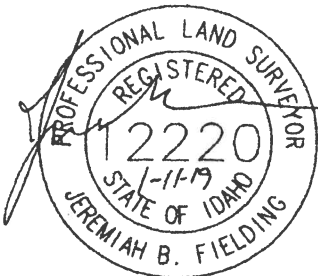
1 inch = 50 ft.

NAMPA CALDWELL BOULEVARD



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 45°41'42" W	18.16
L2	S 43°56'57" W	22.17
L3	S 43°56'57" W	10.00
L4	N 45°58'33" W	28.02
L5	S 42°51'15" W	24.83
L6	N 47°08'45" W	20.00
L7	N 42°51'15" E	45.24
L8	N 46°25'30" E	10.01



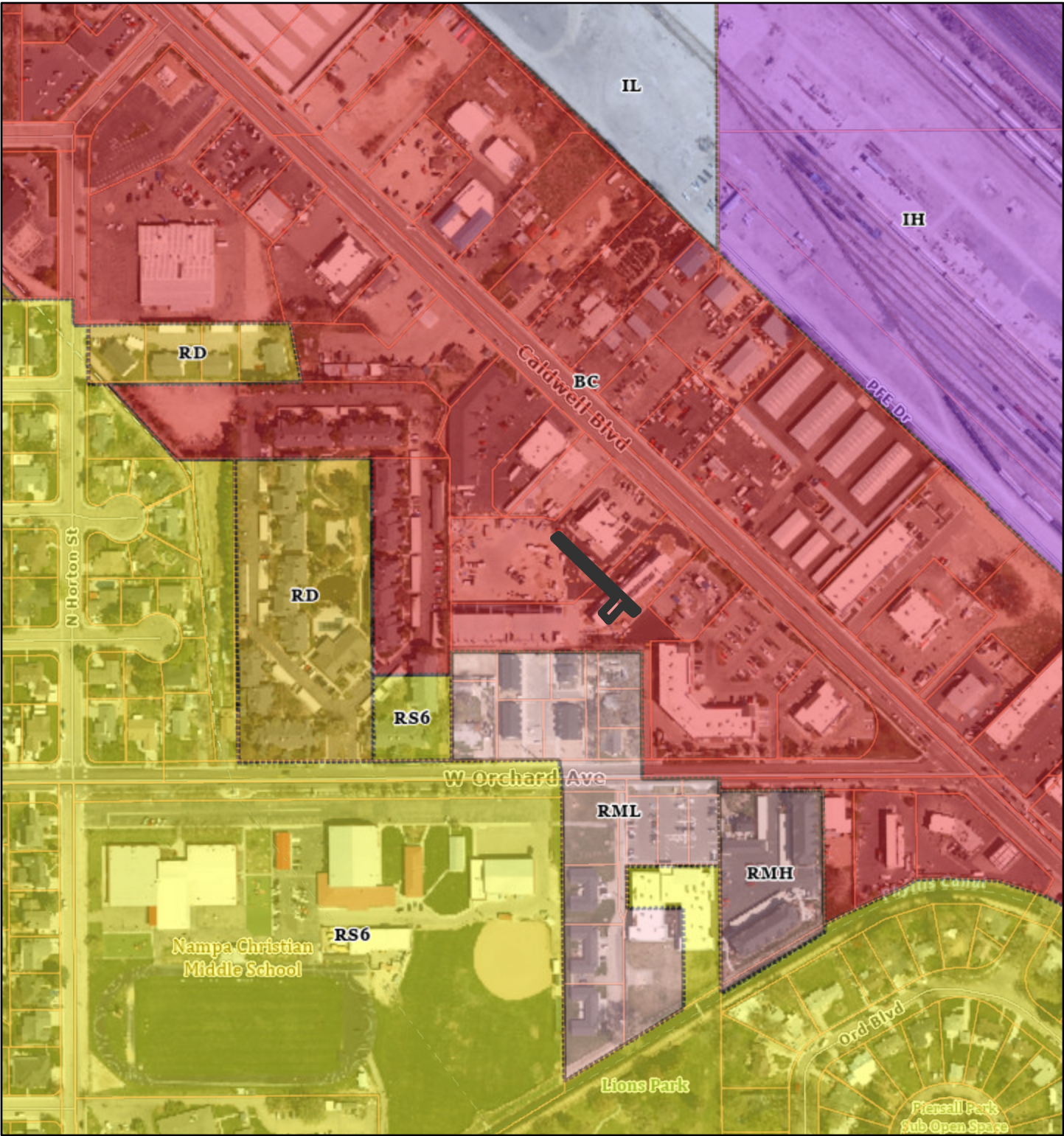
LEGEND

- | | | | |
|--|--------------------|--|---------------|
| | Found Brass Cap | | Boundary Line |
| | Calculated Point | | Section Line |
| | Found Aluminum Cap | | Property Line |
| | Found 5/8" rebar | | Easement Line |

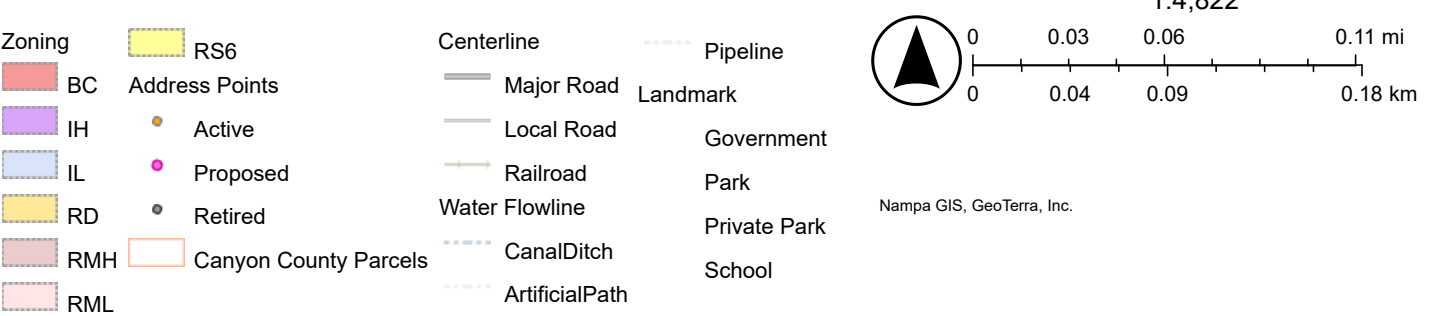
EAGLE LAND SURVEYING, LLC.

106 W MAIN ST UNIT D, MIDDLETON, ID 83644
 (208) 861-7513; plb12220@yahoo.com

Zoning map



3/19/2025, 3:14:07 PM



Lynda Noah

From: Peter Nielsen
Sent: Thursday, March 13, 2025 12:02 PM
To: propertymanagement@spotlessbrands.com
Cc: Planning-Zoning Staff
Subject: VAC-00073-2025 Application for Easement Vacation (Epic Shine)

Hello,

City review comments for the submitted legal descriptions for the above referenced vacation application are as follows:

1. Applicant to provide exhibit showing existing onsite public mainline locations.
2. Applicant to provide legal description and exhibit for portion of the existing easement to be vacated. The City won't vacate easement over any existing mainlines.

Thanks



Peter Nielsen

Sr Engineering Plans Examiner, Engineering

O: 208.565.5252, C: 208.250.0331

[City of Nampa, Like us on Facebook](#)

NAMPA Proud

Notice: All communication transmitted within the City of Nampa Email system may be a public record and may be subject to disclosure under the Idaho Public Records Act (Idaho Code 74-101 et seq.) and as such may be copied and reproduced by members of the public. In addition, archives of all City emails are generally kept for a period of two years and are also subject to monitoring and review.

Lynda Noah

From: Jeff Miranda
Sent: Tuesday, February 25, 2025 3:22 PM
To: Planning-Zoning Staff
Subject: VAC-00073-2025

The building department has no comment on the vacation of easement for Epic Shine Easement (VAC-00073-2025).

Thank you



Jeff Miranda - CBO

Building Official

P: 208.468.5462 F: 208.468.5439

[Department of Building Safety](#), [Like us on Facebook](#)

NAMPA Ready

Notice: All communication transmitted within the City of Nampa Email system may be a public record and may be subject to disclosure under the Idaho Public Records Act (Idaho Code 74-101 et seq.) and as such may be copied and reproduced by members of the public. In addition, archives of all City emails are generally kept for a period of two years and are also subject to monitoring and review.

Lynda Noah

From: Brandon Shores
Sent: Wednesday, February 19, 2025 6:38 AM
To: Planning-Zoning Staff
Cc: Lynda Noah
Subject: RE: Request for Dept/Agency comments by 2/28/2025 for Epic Shine Easement (VAC-00073-2025)

To whom it may concern:

This officer discovered no observable code violations currently regarding; Vacation of an unused portion of existing City of Nampa utility easement on a 3.34 acre parcel in the BC (Community Business) zoning district located at 383 & 395 Caldwell Blvd, Parcels #R0966400000 & R0966300000 (SE 1/4 of S16, T3N, R2W, BM) for Paul Hilbig representing Cobblestone Idaho Propco (VAC-00073-2025).

Sincerely,

Brandon Shores
Code Compliance Officer
208-468-5705



From: Soyla Reyna <reynas@cityofnampa.us>
Sent: Tuesday, February 18, 2025 10:01 AM
To: Brandon Shores <shoresb@cityofnampa.us>
Cc: Kent Lovelace <lovelacek@cityofnampa.us>; Juan Vergara <vergaraj@cityofnampa.us>
Subject: FW: Request for Dept/Agency comments by 2/28/2025 for Epic Shine Easement (VAC-00073-2025)

CRM's have been created

Please return all comments to Planning and Zoning staff (pzall@cityofnampa.us) by April 11, 2025. Thank you!

From: Lynda Noah <noahl@cityofnampa.us>
Sent: Thursday, February 13, 2025 4:34 PM
To: Adam Mancini <Mancinia@cityofnampa.us>; Addressing <Addressing@cityofnampa.us>; Alicia Flavel <aflavel.bkirrdist@gmail.com>; Breanna Son <sonb@cityofnampa.us>; Brendon Smith <smithb@cityofnampa.us>; Brian Graves <bgraves@kunaschools.org>; Camille Bates <camille.bates@lumen.com>; Candace Fry <fryc@cityofnampa.us>; Carolynn Murray <murrayc@cityofnampa.us>; Chad Shepard <shepardc@cityofnampa.us>; Chris Hopper <chopper@hwydistrict4.org>; Cody Swander <swanderc@cityofnampa.us>; COMPASS <gis@compassidaho.org>; Cortney Stauffer <cstauffer@nsd131.org>; Damion Snodgrass <snodgrassd@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; David Palfreyman <dlpalfreyman@yahoo.com>; DeerFlat <deerflat@fws.gov>; Don Barr <barrd@cityofnampa.us>; Doug Critchfield <critchfieldd@cityofnampa.us>; Eddy Theil <Eddy@nampahighway1.com>;

Lynda Noah

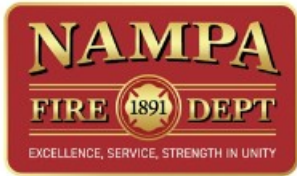
From: Ron Johnson <johnsonrl@nampafire.org>
Sent: Monday, March 10, 2025 1:52 PM
To: Planning-Zoning Staff
Subject: RE: [EXTERNAL]Request for Dept/Agency comments by 2/28/2025 for Epic Shine Easement (VAC-00073-2025)

CAUTION: This email originated OUTSIDE the City of Nampa domain. **DO NOT** click on links or open attachments unless you recognize the sender or are sure the content is safe. Highlight the suspect email and send using the Outlook Phish Alert Report button or call the IT Helpdesk at (208) 468-5454.

Good afternoon,

NFD does not oppose this application for vacation of easement and has no additional comments.

Regards,



Ron Johnson - IAAI-CFI, CFM
Deputy Chief - Fire Marshal
9 12th Ave South, Nampa, ID
O: 208.468.5760
C: 208.250.7005
[Nampa Fire Website](#) - [Facebook](#)

From: Lynda Noah <noahl@cityofnampa.us>
Sent: Thursday, February 13, 2025 4:34 PM
To: Adam Mancini <Mancinia@cityofnampa.us>; Addressing <Addressing@cityofnampa.us>; Alicia Flavel <aflavel.bkirrdist@gmail.com>; Breanna Son <sonb@cityofnampa.us>; Brendon Smith <smithb@cityofnampa.us>; Brian Graves <bgraves@kunaschools.org>; Camille Bates <camille.bates@lumen.com>; Candace Fry <fryc@cityofnampa.us>;Carolynn Murray <murrayc@cityofnampa.us>; Chad Shepard <shepardc@cityofnampa.us>; Chris Hopper <chopper@hwydistrict4.org>; Cody Swander <swanderc@cityofnampa.us>; COMPASS <gis@compassidaho.org>; Cortney Stauffer <cstauffer@nsd131.org>; Damion Snodgrass <snodgrassd@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; David Palfreyman <dlpalfreyman@yahoo.com>; DeerFlat <deerflat@fws.gov>; Don Barr <barrd@cityofnampa.us>; Doug Critchfield <critchfieldd@cityofnampa.us>; Eddy Theil <Eddy@nampahighway1.com>; Elijah Effinger <effingere@nampafire.org>; Eric Skoglund <skoglundl@cityofnampa.us>; Erika Olvera <eolvera@nmid.org>; Intermountain Gas <IGCNampaDistrictOperationsAide@intgas.com>; ITD <D3Development.Services@itd.idaho.gov>; Janet Weybright <weybrightj@cityofnampa.us>; Jason Reddy <jjreddy@kunaschools.org>; Jeff Barnes <barnesj@cityofnampa.us>; Jeff Miranda <mirandaj@cityofnampa.us>; Jenny Titus <Jenny.titus@vallivue.org>; Joey Palmer <joseph.palmer@vallivue.org>; Julie Linan <linanj@nampafire.org>; Kent Lovelace <lovelacek@cityofnampa.us>; Kirk Meyers <kirk@pioneerirrigation.com>; Kristi Watkins <watkinsk@cityofnampa.us>; Lacey Sharpe <lsharpe@nmid.org>; Lenny Riccio <Iriccio@hwydistrict4.org>; lisa.boyd <lisa.boyd@vallivue.org>; Lumen (plat review) <platreview@lumen.com>; Lynda Noah <noahl@cityofnampa.us>; Matthew Jamison <jamisonm@cityofnampa.us>; Megan Kelly <mkelly@idahopower.com>; Melissa Close

Lynda Noah

From: Eddy Thiel <eddy@nampahighway1.com>
Sent: Thursday, February 13, 2025 4:38 PM
To: Planning-Zoning Staff
Subject: FW: Request for Dept/Agency comments by 2/28/2025 for Epic Shine Easement (VAC-00073-2025)

CAUTION: This email originated OUTSIDE the City of Nampa domain. **DO NOT** click on links or open attachments unless you recognize the sender or are sure the content is safe. Highlight the suspect email and send using the Outlook Phish Alert Report button or call the IT Helpdesk at (208) 468-5454.

Good Afternoon,

Nampa Highway District #1 has no comment.

Thank you,

Eddy

Eddy Thiel
ROW
eddy@nampahighway1.com
4507 12th Ave. Rd. • Nampa, id 83686
TEL 208.467.6576 • FAX 208.467.9916

From: Lynda Noah <noahl@cityofnampa.us>
Sent: Thursday, February 13, 2025 4:34 PM
To: Adam Mancini <Mancinia@cityofnampa.us>; Addressing <Addressing@cityofnampa.us>; Alicia Flavel <aflavel.bkirrdist@gmail.com>; Breanna Son <sonb@cityofnampa.us>; Brendon Smith <smithb@cityofnampa.us>; Brian Graves <bgraves@kunaschools.org>; Camille Bates <camille.bates@lumen.com>; Candace Fry <fryc@cityofnampa.us>;Carolynn Murray <murrayc@cityofnampa.us>; Chad Shepard <shepardc@cityofnampa.us>; Chris Hopper <chopper@hwydistrict4.org>; Cody Swander <swanderc@cityofnampa.us>; COMPASS <gis@compassidaho.org>; Cortney Stauffer <cstauffer@nsd131.org>; Damion Snodgrass <snodgrassd@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; David Palfreyman <dlpalfreyman@yahoo.com>; DeerFlat <deerflat@fws.gov>; Don Barr <barrd@cityofnampa.us>; Doug Critchfield <critchfieldd@cityofnampa.us>; Eddy Thiel <eddy@nampahighway1.com>; Elijah Effinger (Fire District) <effingere@nampafire.org>; Eric Skoglund <skoglundl@cityofnampa.us>; Erika Olvera <eolvera@nmid.org>; Intermountain Gas <IGCNampaDistrictOperationsAide@intgas.com>; ITD <D3Development.Services@itd.idaho.gov>; Janet Weybright <weybrightj@cityofnampa.us>; Jason Reddy <jjreddy@kunaschools.org>; Jeff Barnes <barnesj@cityofnampa.us>; Jeff Miranda <mirandaj@cityofnampa.us>; Jenny Titus <Jenny.titus@vallivue.org>; Joey Palmer <joseph.palmer@vallivue.org>; Julie Linan <linanj@nampafire.org>; Kent Lovelace <lovelacek@cityofnampa.us>; Kirk Meyers <kirk@pioneerirrigation.com>; Kristi Watkins <watkinsk@cityofnampa.us>; Lacey Sharpe <lsharpe@nmid.org>; Lenny Riccio <Iriccio@hwydistrict4.org>; lisa.boyd <lisa.boyd@vallivue.org>; Lumen (plat review) <platreview@lumen.com>; Lynda Noah <noahl@cityofnampa.us>; Matthew Jamison <jamisonm@cityofnampa.us>; Megan Kelly <mkelly@idahopower.com>; Melissa Close (Fire District) <closem@nampafire.org>; Mike Churella <mchurella@idahopower.com>; Mitch Kiester <mitch.kiester@phd3.idaho.gov>; Monica Taylor <monica.taylor@intgas.com>; Nakeata Gilliam

Lynda Noah

From: Emily Bunn <Emily.Bunn@canyoncounty.id.gov>
Sent: Thursday, February 13, 2025 4:45 PM
To: Lynda Noah
Subject: RE: [External] Request for Dept/Agency comments by 2/28/2025 for Epic Shine Easement (VAC-00073-2025)

CAUTION: This email originated OUTSIDE the City of Nampa domain. **DO NOT** click on links or open attachments unless you recognize the sender or are sure the content is safe. Highlight the suspect email and send using the Outlook Phish Alert Report button or call the IT Helpdesk at (208) 468-5454.

Here is a request for comment from City of Nampa.

Let me know if you would like this to be sent someone else, as this was sent to Carl previously.

Sincerely,



Emily Bunn,
Associate Planner
Canyon County Development Services Department
111 N. 11th Ave., #310, Caldwell, ID 83605
Direct Line: (208) 454-6632
Email: emily.bunn@canyoncounty.id.gov
Website: www.canyoncounty.id.gov

Development Services Department (DSD)
NEW public office hours
Effective Jan. 3, 2023
Monday, Tuesday, Thursday and Friday
8am – 5pm
Wednesday
1pm – 5pm
**We will not be closed during lunch hour **

PUBLIC RECORD NOTICE: All communications transmitted within the Canyon County email system may be a public record and may be subject to disclosure under the Idaho Public Records Act and as such may be copied and reproduced by members of the public.

From: Lynda Noah <noahl@cityofnampa.us>
Sent: Thursday, February 13, 2025 4:34 PM
To: Adam Mancini <Mancinia@cityofnampa.us>; Addressing <Addressing@cityofnampa.us>; Alicia Flavel <aflavel.bkirrdist@gmail.com>; Breanna Son <sonb@cityofnampa.us>; Brendon Smith <smithb@cityofnampa.us>; Brian Graves <bgraves@kunaschools.org>; Camille Bates <camille.bates@lumen.com>; Candace Fry <fryc@cityofnampa.us>;Carolynn Murray <murrayc@cityofnampa.us>; Chad Shepard <shepardc@cityofnampa.us>; Chris Hopper <chopper@hwydistrict4.org>; Cody Swander <swanderc@cityofnampa.us>; COMPASS <gis@compassidaho.org>; Cortney Stauffer <cstauffer@nsd131.org>; Damion Snodgrass <snodgrassd@cityofnampa.us>; Daniel Badger <BadgerD@cityofnampa.us>; David Palfreyman <dlpalfreyman@yahoo.com>; DeerFlat <deerflat@fws.gov>; Don Barr <barrd@cityofnampa.us>; Doug Critchfield <critchfieldd@cityofnampa.us>; Eddy Theil <Eddy@nampahighway1.com>;

April 1, 2025

Sent via email to: noahl@cityofnampa.us

Applicant: Paul Hilbig

Location Info: City of Nampa Vacation Request
Parcel(s): R0966300000, R0966400000

Dear City of Nampa:

This is in response to your email dated **2/13/25** regarding the possible vacation located as noted above.

- The attached Exhibit(s) more specifically identify the requested area for vacation.

 X We have no Utilities within the described Right-of-Way to be vacated and do not object to the vacation.

 We have Utilities within the described Right-of-Way to be vacated and require the right-of-way to support continued use, maintenance and/or relocation of such Utilities.

Specifications:

Sincerely,



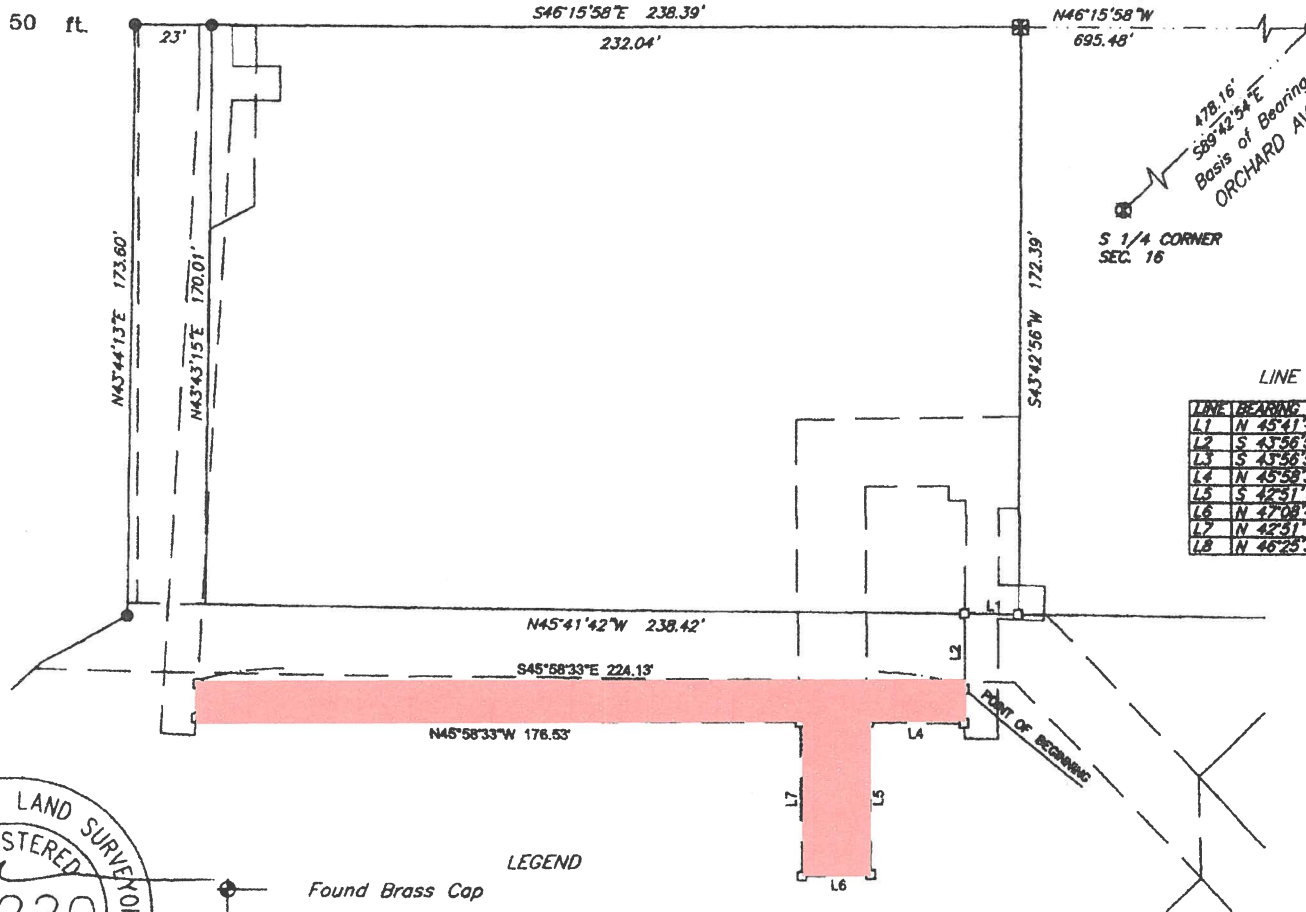
Megan Kelly
Corporate Real Estate
Idaho Power Company | Permitting Specialist
208-388-2972 | mkelly@idahopower.com

1221 W. Idaho St (83702)
P.O. Box 70
Boise, ID 83707

SEWER AND WATER EASEMENT-EXHIBIT B
PORTION OF LOT 7, PLAT OF HOME SUBDIVISION
SE 1/4 SW 1/4 OF SEC. 16, T. 3 N., R. 2 W., B.M.
CITY OF NAMPA, IDAHO

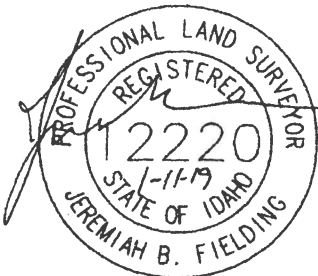
1 inch = 50 ft.

NAMPA CALDWELL BOULEVARD



LINE TABLE

LINE	BEARING	DISTANCE
L1	N 45°41'42" W	18.16
L2	S 43°56'57" W	22.17
L3	S 43°56'57" W	10.00
L4	N 45°58'33" W	28.02
L5	S 42°51'15" W	24.83
L6	N 47°08'45" W	20.00
L7	N 42°51'15" E	45.24
L8	N 46°25'30" E	10.01



LEGEND

- | | | | |
|--|--------------------|--|---------------|
| | Found Brass Cap | | Boundary Line |
| | Calculated Point | | Section Line |
| | Found Aluminum Cap | | Property Line |
| | Found 5/8" rebar | | Easement Line |

EAGLE LAND SURVEYING, LLC.

106 W MAIN ST UNIT D, MIDDLETON, ID 83644
 (208) 861-7513; plb12220@yahoo.com

AFTER RECORDING MAIL TO:

Michael D. Leeb
First American Title Insurance Company
250 West Pratt Street, Suite 650
Baltimore, Maryland 21201

2024-035793	
RECORDED	
11/05/2024 08:07 AM	
RICK HOGABOAM	
CANYON COUNTY RECORDER	
Pgs-5 ZBLAKESLEE	\$15.00
TYPE: DEED	
FIRST AMERICAN TITLE INSURANCE	
ELECTRONICALLY RECORDED	

SPECIAL WARRANTY DEED

File No.: NCS-1T5VID08-MD61

Date: November 4, 2024

FOR VALUE RECEIVED, EPIC SHINE 111, LLC, an Idaho limited liability company, hereinafter referred to as Grantor, does hereby grant, bargain, sell and convey unto COBBLESTONE IDAHO PROPCO, LLC, an Idaho limited liability company, hereinafter referred to as Grantee, whose current address is 2 Mid America Plaza, Suite 450, Oakbrook Terrace, IL 60181, all of Grantor's right, title, and interest in and to that certain real property located in Canyon County, Idaho (the "Real Property"), to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

BEING the same real property conveyed unto EPIC SHINE III, LLC, by Deeds dated January 9, 2023 and recorded January 12, 2023 with the Canyon County Recorder as Instrument Nos. 2023000989 and 2023-000990.

TOGETHER WITH all buildings and improvements thereupon, and the rights, alleys, ways, waters, easements, privileges, appurtenances and advantages, to the same belonging or appertaining thereto.

TO HAVE AND TO HOLD the Real Property above described and hereby conveyed to Grantee, its successors and assigns, forever, in fee simple, subject to all reservations, exceptions, easements, restrictions, covenants, conditions, and other matters, all of record affecting title to the Real Property granted hereby.

I

NCS-1T5VID08,,MD61

APN: 09663000 0
and 09664000 0

Special Warranty Deed

File No.:

- continued

Date: November 4, 2024

THE GRANTOR covenants to warrant specially the Real Property hereby conveyed, and to execute such further assurances of the Real Property as may be requisite.

[SIGNATURE AND ACKNOWLEDGMENT ON NEXT PAGE]

[REMAINDER OF PAGE INTENTIONALLY BLANK]

APN: 09663000 0
and 09664000 0

Special Warranty Deed

File No.: NCS-I T5VID08-MD61

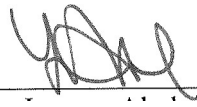
- continued

GRANTOR:

EPIC SHINE 111, LLC,
an o limited liability company
Idaho
li


Dan Abel

By:
Name:
Title: Co-Manager


By:
Name: Lauren Abel
Title: Co-Manager

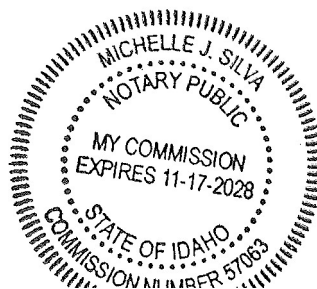
STATE OF IDAHO, COUNTY/CITY OF Ada County/Boise :

I HEREBY CERTIFY, that on this this 29th day of Octc October, 2024, before me, the undersigned Notary Public of said State, personally appeared Dan Abel and Lauren Abel, who acknowledged themselves to be the Co-Managers of EPIC SHINE Ill, LLC, an Idaho limited liability company, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that they executed the same for the purposes therein contained as Co-Managers of said company by signing the name of said company by themselves as Co-Managers.

WITNESS my hand and Notarial Seal.


Notary Public

My Commission Expires: / 11-17-2028



APN: 09663000 0
and 09664000 0

Special Warranty Deed

File No.: NCS-I T5VID08-MD61

- continued

Date: November 4, 2024

EXHIBIT "A"

Legal Description

APN: 09663000 0:

A PARCEL OF LAND BEING A PORTION OF LOT 7 OF THE PLAT OF HOME SUBDIVISION, ACCORDING TO THE PLAT THEREOF, FILED IN BOOK 4 OF PLATS AT PAGE 47, CANYON COUNTY RECORDS, SITUATED IN THE SOUTHWEST QUARTER

OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN, LOCATED IN THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:.

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 16, FROM WHICH THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER (CENTER-

SOUTH 1/16 CORNER) BEARS, NORTH $00^{\circ}18'33''$ EAST 1,323.02 FEET; THENCE ON THE EAST LINE OF SAID SOUTHWEST QUARTER, NORTH $00^{\circ}18'33''$ EAST 452.67 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF NAMPA CALDWELL BLVD.; THENCE ON SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, NORTH $46^{\circ}16'43''$ WEST 140.71 FEET TO THE REAL POINT OF BEGINNING; THENCE LEAVING SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, SOUTH $43^{\circ}39'49''$ WEST 141.00 FEET; THENCE SOUTH $49^{\circ}52'18''$ WEST 133.00 FEET; THENCE NORTH $89^{\circ}26'40''$ WEST 251.94 FEET TO THE EXTERNAL BOUNDARY LINE OF PARCEL 3 PER THAT RECORD OF SURVEY RECORDED AS INSTRUMENT NO. 2006-73769, CANYON COUNTY RECORDS; THENCE ON SAID EXTERNAL BOUNDARY LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: THENCE PARALLEL WITH SAID EAST LINE, NORTH $00^{\circ}18'33''$ EAST 176.32 FEET; THENCE SOUTH $39^{\circ}55'22''$ EAST 188.40 FEET; THENCE SOUTH $75^{\circ}31'28''$ EAST 28.40 FEET; THENCE NORTH $43^{\circ}43'28''$ EAST 173.60 FEET TO SAID SOUTHWESTERLY RIGHT-OF-WAY LINE; THENCE ON SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, SOUTH $46^{\circ}16'43''$ EAST 157.93 FEET TO THE REAL POINT OF BEGINNING.

Date: November 4, 2024

APN: 09663000 0
and 09664000 0

Special Warranty Deed

File No.: NCS-I T5VID08-MD61

- continued

APN: 09664000 0

A PARCEL OF LAND BEING A PORTION OF LOT 7 OF THE PLAT OF HOME SUBDIVISION, ACCORDING TO THE PLAT THEREOF, FILED IN BOOK 4 OF PLATS AT PAGE 47, CANYON COUNTY RECORDS, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 2 WEST OF THE BOISE MERIDIAN, LOCATED IN THE CITY OF NAMPA, COUNTY OF CANYON, STATE OF IDAHO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 16, FROM WHICH THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER (CENTER-SOUTH 1/16 CORNER) BEARS, NORTH $00^{\circ}18'33''$ EAST 1323.02 FEET; THENCE ON THE EAST LINE OF SAID SOUTHWEST QUARTER, NORTH $00^{\circ}18'33''$ EAST 452.67 FEET TO THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF NAMPA CALDWELL BLVD.; THENCE ON SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, NORTH $46^{\circ}16'43''$ WEST 37.25 FEET TO THE REAL POINT OF BEGINNING; THENCE ON THE EXTERNAL BOUNDARY LINE OF PARCEL 3 PER THAT RECORD OF SURVEY RECORDED AS INSTRUMENT NO. 2006-73769, CANYON COUNTY RECORDS, THE FOLLOWING FOUR (4) COURSES AND DISTANCES: THENCE SOUTH $43^{\circ}43'00''$ WEST 172.39 FEET; THENCE SOUTH $45^{\circ}42'08''$ EAST 101.11 FEET; THENCE PARALLEL WITH THE SOUTH LINE OF SAID SOUTHWEST QUARTER, NORTH $89^{\circ}57'33''$ WEST 67.22 FEET; THENCE PARALLEL WITH SAID EAST LINE, SOUTH $00^{\circ}18'33''$ WEST 243.16 FEET TO THE NORTH RIGHT-OF-WAY LINE OF W. ORCHARD AVE. PER INSTRUMENT NO. 2007-049708, CANYON COUNTY RECORDS; THENCE ON SAID NORTH RIGHT-OF-WAY LINE, PARALLEL WITH SAID SOUTH LINE, NORTH $89^{\circ}57'33''$ WEST 20.00 FEET TO SAID EXTERNAL BOUNDARY LINE; THENCE ON SAID EXTERNAL BOUNDARY LINE THE FOLLOWING FOUR (4) COURSES AND DISTANCES: THENCE PARALLEL WITH SAID EAST LINE, NORTH $00^{\circ}18'33''$ EAST 220.99 FEET; THENCE PARALLEL WITH SAID SOUTH LINE, NORTH $89^{\circ}57'33''$ WEST 90.08 FEET; THENCE $189^{\circ}28'30''$ NORTH WEST 302.11 FEET; THENCE PARALLEL WITH SAID $00^{\circ}18'33''$ EAST LINE NORTH EAST 100.70 FEET; THENCE LEAVING SAID

APN: 09663000 0

Special Warranty Deed

File No.: NCS-I T5VID08-MD61

and 09664000 0

- continued

EXTERNAL BOUNDARY LINE, SOUTH 89°24' 57" EAST 251.94 FEET; THENCE NORTH 49°52'18" EAST 133.00 FEET; THENCE NORTH 43 °39'49" EAST 141.00 FEET TO SAID

SOUTHWESTERLY RIGHT-OF-WAY LINE; THENCE ON SAID SOUTHWESTERLY RIGHT-OF-WAY LINE, SOUTH 46 ° 16'43" EAST 103.46 FEET TO THE REAL POINT OF BEGINNING.



Job No. 2018-036

J.B.F.

1-11-19

**BOUNDARY DESCRIPTION
FOR
NEXTRIDE**

SEWER AND WATER UTILITY EASEMENT

Located in Lot 7 of the Plat of Home Subdivision in Section 16, Township 3 North, Range 2 West of the Boise Meridian, City of Nampa, Idaho described as:

Commencing at the South Quarter corner of Section 16, Township 3 North, Range 2 West of the Boise Meridian, City of Nampa, Idaho and running thence S89°42'54"E 478.16 feet along the South line of said Section to a point intersecting the South right-of-way line of the Nampa Caldwell Boulevard; thence N46°15'58"W 695.48 feet along said South right-of-way line to a found Aluminum Cap; thence S43°42'56"W 172.39 along the East line of Parcel Number R09663; thence N45°41'42"W 16.16 feet; thence S43°56'57"W 22.17 feet to the Point of Beginning; thence S43°56'57"W 10.00 feet; thence N45°58'33"W 28.02 feet; thence S42°51'15"W 45.24 feet; thence N47°08'45"W 20.00 feet; thence N42°51'15"E 45.24 feet; thence N45°58'33"W 176.53 feet; thence N46°25'30"E 10.01 feet; thence S45°58'33"E 224.13 feet to the Point of Beginning.

