Easement Vacation Application

City of Fruitland

200 S. Whitley Drive/P.O. Box 324 Fruitland, Idaho 83619 Phone: 452-4421 Fax: 452-6146

APPLICANT: _____

Mailing Address: _____

Telephone: _____ **Fax:** _____ **E-mail:** _____

FILING CAPACITY:

- □ **Recorded property owner as of** _____ **(Date)**
- □ **Purchasing as of** _____ **(Date)**
- □ **Leasing property as of** _____ **(Date)**
- □ **Authorized agent of any of the foregoing, duly authorized in writing.**
  (Written authorization must be attached.)

PROPERTY:

Street Address/Location: _____

Instrument No. _____ **Date Recorded:** _____

Quarter: _____ **Section:** _____ **Township:** _____ **Range:** _____

Subdivision Name: _____

Block Number: _____ **Lot Number (s):** _____

Book of Plat No. _____ **Pages:** _____ **through** _____

Parcel or Tax Lot Number: _____ ***(Information may be obtained from the County Assessor's Office)***

Please submit the following:

- □ **8 ½ x 11 drawing of easement to be vacated. Show complete dimensions of property and easement.**
- □ **Legal description of easement or portion of easement to be vacated.**

JUSTIFICATION:

State reason for requested action. _____

_____

_____

_____

APPLICANT CERTIFICATION:

_____, being first duly sworn, deposes and says he/she is the applicant and knows the contents thereof to be true to his/her knowledge.

_____
Applicant's Signature

Subscribed and sworn to before me this _____ day of _____20_____.

_____
Notary Public for Idaho

Residing at: _____

My Commission Expires: _____

OWNER CERTIFICATION:

I have read and consent to the filing of this application as the owner of record of the property being considered in this application.

Name: _____

Address: _____

Telephone: _____ Fax: _____ E-mail: _____

Owner's Signature: _____ Date: _____

FILING FEE: $100.00
May be subject to other costs if required to complete the application process, such as surveying, appraisal, title search, etc.

Easement Vacation Process

I.C. 50-1306A.(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 certified mail, return receipt requested, of the proposed vacation and have agreed to the same in writing.

Upon receipt of payment and complete application, a certified letter will be sent to each of the following:

Idaho Power Company

Intermountain Gas Company

Cable One

Farmers Mutual Telephone Company

City of Fruitland Water & Sewer Departments

Applicable Irrigation District

When all letters are returned granting approval the request will be placed on the Fruitland City Council agenda for consideration.

If approved by the City Council an ordinance will be drafted for consideration of adoption. The adopted ordinance will be recorded with the County Clerk's Office and a copy of the recorded ordinance will be sent to the applicant.