



# City of Boise

## Resolution

### Easement

Planning and Development  
Services  
150 N Capitol Blvd  
Boise, ID 83702  
(800) 377-3529

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**TO:** Mayor and Council  
**FROM:** Hal Simmons, Planning and Development Services  
**NUMBER:** RES-447-17  
**DATE:** September 6, 2017  
**SUBJECT:** Sidewalk Easement (Private Pressurized Irrigation)

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#### **BACKGROUND:**

This subdivision within Harris Ranch will be served by a private pressurized irrigation utility. The pipelines are optimally placed under the sidewalks in the public right of way but ACHD was reluctant to allow a private utility a perpetual easement within their right of way. The solution is a privately owned and maintained sidewalk with a perpetual easement in favor of the City and the public for pedestrian and other similar access. The City does have the ability to repair the sidewalks if the homeowner's association and the adjacent property owners fail to do so and to certify the cost to the property taxes of the adjacent properties.

#### **FINANCIAL IMPACT:**

None.

#### **ATTACHMENTS:**

- Exhibit A (PDF)

CITY OF BOISE

Resolution NO. RES-447-17

BY THE COUNCIL

CLEGG , JORDAN, LUDWIG, MCLEAN,  
QUINTANA, AND THOMSON

**A RESOLUTION APPROVING SIDEWALK EASEMENTS, ATTACHED HERETO AS EXHIBIT A, FOR PUBLIC RIGHT OF WAY WITHIN HARRIS RANCH, BY THE HARRIS FAMILY LIMITED PARTNERSHIP (GRANTOR) AND THE CITY OF BOISE CITY (GRANTEE); AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AND ATTEST SAID AGREEMENTS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Harris Family Limited Partnership wishes to grant the City easements for the perpetual right of the public access over the privately owned and maintained sidewalks within Harris Ranch; and,

**WHEREAS**, the developer wishes to install its underground pressurized irrigation system pipes under the sidewalks; and,

**WHEREAS**, the Harris Ranch Homeowners Association will maintain the sidewalks.

**NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF BOISE CITY, IDAHO:**

**Section 1.** That the Sidewalk Easements, attached hereto as Exhibit A and incorporated herein by reference, be, and the same are hereby, approved as to both form and content.

**Section 2.** That the Mayor and City Clerk be, and they hereby are, authorized to respectively execute and attest said Easements for and on behalf of the City of Boise City.

**Section 3.** That this Resolution shall be in full force and effect immediately upon its adoption and approval.

CITY OF BOISE

ADOPTED by the Council of Boise City, Idaho, on September 12, 2017.

APPROVED by the Mayor of the Boise City, Idaho, on September 12, 2017.

APPROVED:

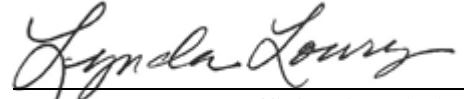


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David H. Bieter, Mayor



ATTEST:



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Lynda Lowry, Ex-Officio City Clerk