



EASEMENT

File Number: EASFY2025-0004

Date Received : 3/26/25

FOR OFFICE USE ONLY

6015 Glenwood street ▪ Garden City, ID 83714 ▪ 208.472.2921(tel.)
▪ www.gardencityidaho.org ▪ building@gardencityidaho.org

APPLICANT	PROPERTY OWNER
Name: Steve Heath	Name: Rob & Jan Cluff
Company: Heath Development & CM	Company:
Address: 1445 E Feather View CT	Address: 8405 W Marigold ST
City: Eagle	City: Garden City
State: ID Zip: 83616	State: ID Zip: 83714
Tel.: 916-995-0491	Tel.: 208-866-1463
E-mail: Steve@heathdcm.com	E-mail: Jancluff@gmail.com

EASEMENT INFORMATION

Any associated Garden City application file number:

Site Address: 8401 & 8403 W Marigold St Garden City, Idaho 83714

Subdivision Name: Rockcress sub #2

Affected Lot and Blocks Lot 15&16 Block 1

Tax Parcel Number(s): R7533180020 & R7533180010

APPLICATION INFORMATION REQUIRED

New Easement (Easements shown on a subdivision plat do not require this form):

*Please Provide:

- Explanation of the request if there is no associated Garden City application where an easement has been specified as a condition of approval
- Draft Easement in .doc format
- Easement Exhibits:
 - Legal Description of the platted area or property to be included in the easement
 - Map thereof

Request to Vacate Easement

*Please Provide:

- Affidavit of Legal Interest
- Exhibit A: Legal Description of the platted area or property to be vacated and map thereof;
- Exhibit B: Petition to vacate including:
 - Circumstances of the request to vacate
 - Legal Description of the platted area or property to be vacated and map thereof
 - The names of the persons affected by the vacation request
 - Notarized relinquishments from each potential grantee (e.g. a utility and drainage easement should include relinquishments from Century Link, Intermountain Gas, Idaho Power, Drainage District, and the Home Owners Association)

Petition To Vacate Easements Exhibit B

To: City of Garden City

From: Steve Heath

Property Owners: Rob & Jan Cluff Property

Address: 8401 & 8403 W Marigold St, Garden City, ID 83714

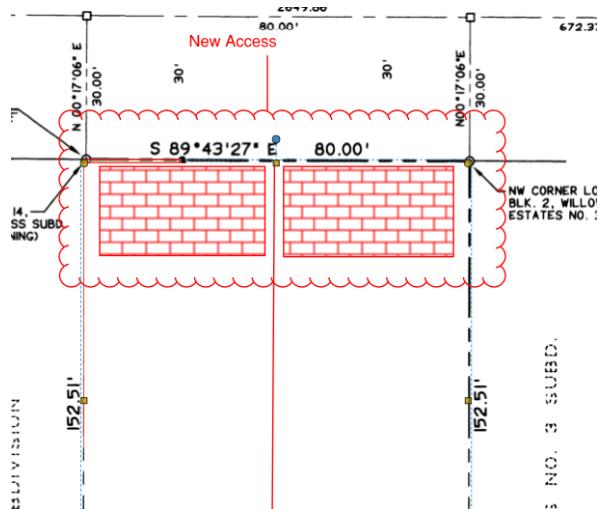
Subdivision: Rockcress Sub #2

Affected Lots: Lot 15 & Lot 16, Block 1

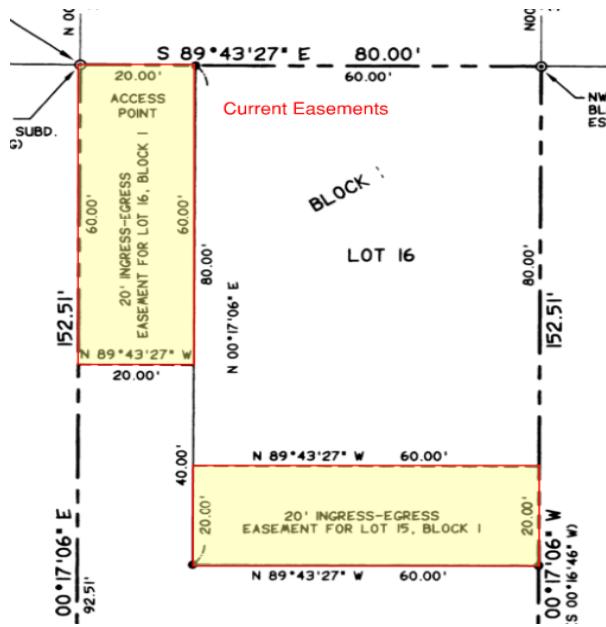
Parcel Numbers: R7533180020 & R7533180010

Circumstances of the Request: The current ingress and egress easements, as shown in the survey, are no longer needed due to a pending lot line adjustment. The new site plan ensures that all access to the property will be from Marigold Street, eliminating the need for the existing easements. The current easements will encroach on the new proposed lots that will be built in the future.

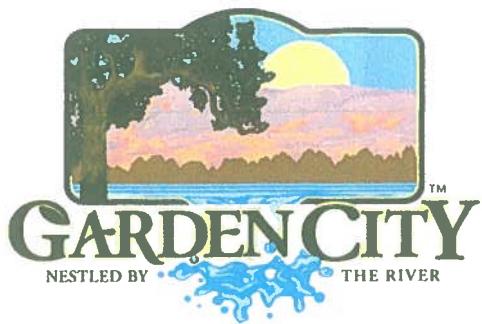
Desired Outcome:



Current Easements:



Affected Persons & Relinquishments: The only affected parties are the property owners, Rob & Jan Cluff, who have agreed to the vacation. No utilities, drainage districts, or other agencies require a relinquishment.



6015 Glenwood Street • Garden City, Idaho 83714
Phone 208 - 472-2921 • Fax 208 - 472-2926 •
www.gardencityidaho.org

Affidavit of Legal Interest

State of Idaho)
)SS

County of Ada)

I, Rob & Jan Cluff

Name

8405 W Marigold ST

Address

Garden City

City

ID 83714

State and Zip

Being first duly sworn upon oath, depose and say:

1. That I am the record owner of the property described on the attached, and I grant my permission

to Steve Heath

Name

1445 E Feather View CT Eagle ID 83616

Address

to submit the accompanying application pertaining to that property.

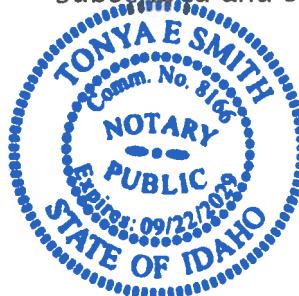
2. I agree to indemnify, defend and hold the City of Garden City and its employees harmless from any claim or liability resulting from any dispute as to the statements contained herein or as to the ownership of the property which is the subject of the application.

3. I hereby grant permission to City of Garden City staff to enter the subject property for the purpose of site inspections related to processing said applications.

Dated this 16th day of March, 2025

Signature

Subscribed and sworn to before me the day and year first above written



Notary Public for Idaho

Residing at:

My Commission expires

Boise, ID

9/22/29

Exhibit A

RECORD OF SURVEY - LOT CONSOLIDATION

ROS# 14383

CP&F Inst. No. 98011966

Illegible

Sec. 23 Sec. 24

Sec. 26 Sec. 25

S 89°21'27" E S 89°31'23" E Illegible

269.19' 97.42'

(S 89°21'54" E (S 89°30'30" E

269.11')(R1) 97.33')(R1)

Illegible

1240.57' 104.47'

1240.47')(R1) (104.56')(R1)

1240.47' (1240.47')(R1)

Easement

Easements to be Vacated

Sec. 23 Sec. 24 θ \oplus
 Sec. 26 Sec. 25 S $89^{\circ}31'23''$ E Illegible
 " E
 ' E
) $04.47', \theta$
) $(S\ 89^{\circ}30'30''\ E$
) $97.42'$
) $97.33')(R1)$
) $4.56')(R1)$

BEING LOTS 15 & 16, BLOCK 1, ROCKCRESS SUBDIVISION NO. 2,
LOCATED IN THE NW1/4 OF SECTION 25,
T. 4 N., R. 1 E., B.M., CITY OF GARDEN CITY, ADA COUNTY, IDAHO

2024

STATE OF IDAHO, COUNTY OF ADA

Instrument No. 2024-019446

I hereby certify that this instrument was filed for record at the request of
QRS Consulting, at 22 minutes past 11 o'clock Am., this
15th day of April, year of 2024,

John
Deputy
Fee: \$5.-

Trent Triple
Ex-Officio Recorder

Fee: \$5. -

BASIS OF BEARINGS

W. MARIGOLD ST.
(2649.86')(R1)

N. COFFEY ST.
(2639.43)

ACHD INTERSECTION MONUMENT
CP&F Inst. No. 2023-041552

POINT OF BEGINNING

ROCKCRESS SUBDIVISION
BOOK 60 PAGE 5942-5943

ROCKCRESS SUBDIVISION
BOOK 75 PAGE 7549

PARCEL A
Area: 12,187.35 s.f. ±
0.28 acres ±

Scale: 1" = 20'

CERTIFICATE
L. Akemi Wells

No Cap Sec. 26 CP&F Inst.
◎ Ⓜ Sec. 25
S 89°34'31" E W
149.80'
(S 89°34'06" E)(R1) Ⓜ S 00°31'28" W
137.05'
(S 00°31'25" W
137.07')(R1)
No Cap

REFERENCE DATA

- R1) Rockcress Subdivision No. 2, Book 75, Page 7549
- R2) Rockcress Subdivision, Book 60, Page 5942-5943
- R3) Warranty Deed, Inst. No. 107105336
- R4) Warranty Deed, Inst. No. 102007183

SPECIAL NOTES

 Easements created with Rockcress Subdivision No. 2, Book 75, Page 7549 shall be dissolved with this Lot Consolidation.

 Fenceline alignment indicates possible ownership claims.

SURVEYOR'S SIGNIFICANT OBSERVATIONS

1) This Record of Survey requested by Rob Cluff is to establish a Lot Consolidation of the referenced parcel of land. All found monuments are referenced and accepted, as shown hereon. The boundary was established by retracing Rockcress Subdivision No. 2, Book 75, Page 7549, and Warranty Deed 107105336 Records of Ada County. A Title report was not provided for this project.

2) The Record of Survey does not enable the owners of the property shown to convey ownership based solely on this map. A written conveyance of the new parcel must accompany such transfer in ownership. This Survey does not serve as a legal description for the property shown hereon, but does graphically depict and support the intent of the new legal description.

3) This drawing does not necessarily show all of the physical features of the property. QRS Consulting, LLC assumes no liability for present or future compliance or noncompliance with governing jurisdictions restrictions as it pertains to building permits, vehicle access permits or septic permits.

4) Due to fenceline overlaps as shown hereon, there may be possible ownership claims with regard to the subject property. Adjoining owner(s) have not been contacted by QRS Consulting, LLC regarding possible title issues.

LEGEND

LEGEND

- Calculated point
- Found aluminum cap monument
- Found 5/8 inch dia. iron pin
- Found 1/2 inch dia. iron pin
- Block number
- Lot number
- Record data
- Utility power pole
- Telephone riser
- Boundary line
- Property line
- Section line
- Easement Line
- Fence line barbed wire
- Fence line wood
- Edge of pavement
- Overhead utility lines
- Tie line

INDEX NO. 411-25-04-00-0-75-7540

	RECORD OF SURVEY FOR: ROB CLUFF
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OBS CONSULTING, L

QRS CONSULTING, LLC
Americana Terrace Boise, ID
Office: (208) 342-0001

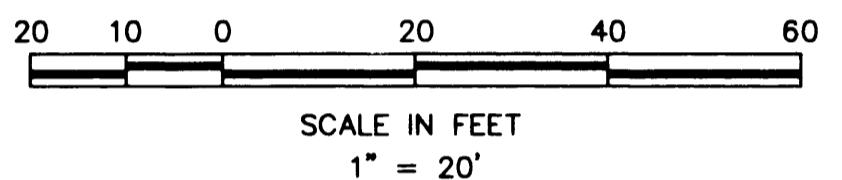
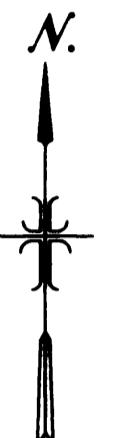
QRS CONSULTING, LLC
3380 W. Americana Terrace Boise, ID 83701
Office: (208) 342-0091

DWG NO.	SCALE:	DRAWN BY:	DATE:	REV:
01S2409ROS	1"=20'	ANW	04/04/24	△

PLAT OF
ROCKCRESS SUBDIVISION NO. 2

A PORTION OF LOT 17, STRAWBERRY GLENN,
LYING IN THE NW 1/4, SECTION 25, T.4N., R.1E., B.M.,
GARDEN CITY, ADA COUNTY, IDAHO

1998



NOTES

1. BUILDING SETBACKS SHALL BE IN ACCORDANCE WITH THE ZONING ORDINANCE AT THE TIME OF ISSUANCE OF THE BUILDING PERMIT.
2. ANY RESUBDIVISION OF THIS PLAT SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RESUBDIVISION.
3. SUBDIVIDER WILL COMPLY WITH THE DISCLOSURE REQUIREMENTS OF SECTION 31-3805 OF THE IDAHO CODE.
4. ALL LOTS ARE HEREBY DESIGNATED AS HAVING A PERMANENT PUBLIC UTILITIES, DRAINAGE, IRRIGATION AND GARDEN CITY STREET LIGHT EASEMENT OVER THE TEN (10) FEET ADJACENT TO ANY STREET THAT IS DEDICATED TO THE USE OF THE PUBLIC. THIS EASEMENT SHALL NOT PRECLUDE THE CONSTRUCTION OF HARD-SURFACED DRIVEWAYS AND WALKWAYS TO EACH LOT.
5. A TEN (10) FOOT PERMANENT PUBLIC UTILITIES, DRAINAGE, AND IRRIGATION EASEMENT IS HEREBY RESERVED LYING FIVE (5) FEET ON BOTH SIDES OF EACH COMMON INTERIOR LOT LINE.
6. ALL LOTS ABUTTING THE EXTERIOR BOUNDARY OF THE SUBDIVISION ARE HEREBY DESIGNATED AS HAVING A PERMANENT PUBLIC UTILITIES, DRAINAGE AND IRRIGATION EASEMENT OVER THE TEN (10) FEET ADJACENT TO THE SAID EXTERIOR BOUNDARY.
7. DIRECT LOT ACCESS FOR LOT 16 OF BLOCK 1 TO WEST MARIGOLD IS PROHIBITED. LOT 16 OF BLOCK 1 SHALL SHARE ACCESS WITH LOT 15 OF BLOCK 1 AT THE ACCESS POINT AS SHOWN.

LEGEND

— — — — —	BOUNDARY LINE
— — — — —	CENTER LINE
— — — — —	EASEMENT BOUNDARY
○	FOUND BRASS CAP
□	FOUND ALUMINUM CAP
◎	FOUND 5/8" IRON PIN w/CAP
●	SET 1/2" x 24" IRON PIN w/CAP
□	CALCULATED POINT, NOT SET

ROCKCRESS SUBDIVISION NO. 2

CERTIFICATE OF OWNERS

KNOW ALL MEN BY THESE PRESENTS: THAT NAME JOHNNY M. HOWARD AND JOY I. THOMAS, DO HEREBY CERTIFY THAT THEY ARE THE OWNERS OF THE REAL PROPERTY AS DESCRIBED BELOW AND IT IS THEIR INTENTION TO INCLUDE SAID REAL PROPERTY IN THIS PLAT.

A PARCEL OF LAND BEING A PORTION OF LOT 17 OF STRAWBERRY GLENN, A SUBDIVISION, AS FILED FOR RECORD IN THE OFFICE OF THE ADA COUNTY RECORDER, BOISE, IDAHO IN BOOK 6 OF PLATS AT PAGE 255, LYING IN THE NW 1/4 OF SECTION 25, T.4N., R.E., B.M., GARDEN CITY, IDAHO AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN MARKING THE NORTHEAST CORNER OF LOT 14 OF BLOCK 1 OF ROCKCRESS SUBDIVISION, AS FILED FOR RECORD IN THE OFFICE OF THE ADA COUNTY RECORDER, BOISE, IDAHO IN BOOK 60 OF PLATS AT PAGE 5942; THENCE ALONG THE SOUTH RIGHT-OF-WAY LINE OF WEST MARIGOLD STREET

SOUTH 89°43'27" EAST 80.00 FEET TO AN IRON PIN MARKING THE NORTHWEST CORNER OF LOT 87 OF BLOCK 2 OF WILLOWBROOK ESTATES NO. 3 SUBDIVISION, AS FILED FOR RECORD IN THE OFFICE OF THE ADA COUNTY RECORDER, BOISE, IDAHO IN BOOK 59 OF PLATS AT PAGE 5730; THENCE ALONG THE WEST BOUNDARY OF WILLOWBROOK ESTATES NO. 3 SUBDIVISION:

SOUTH 00°17'06" WEST (FORMERLY 304TH 00°16'46" WEST) 152.51 FEET TO AN IRON PIN MARKING THE NE. CORNER OF LOT 11 OF THE SAID BLOCK 1 OF THE ROCKCRESS SUBDIVISION; THENCE ALONG THE BOUNDARY OF THE SAID ROCKCRESS SUBDIVISION

NORTH 89°43'27" WEST 80.00 FEET TO AN IRON PIN MARKING AN ANGLE POINT IN THE SAID BOUNDARY; THENCE CONTINUING

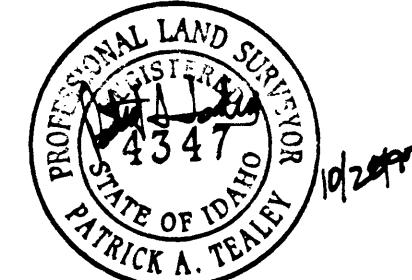
NORTH 00°17'06" EAST 152.51 FEET TO THE POINT OF BEGINNING,

SAID PARCEL OF LAND CONTAINS 0.280 ACRE, MORE OR LESS,

CERTIFICATE OF SURVEYOR

I, PATRICK A. TEALEY, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS PLAT AS DESCRIBED IN THE CERTIFICATE OF OWNERS AND THE ATTACHED PLAT, WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY DIRECT SUPERVISION AND ACCURATELY REPRESENTS THE POINTS PLATTED THEREON, AND IS IN CONFORMITY WITH THE STATE OF IDAHO CODES, RELATING TO PLATS, SURVEYS AND THE CORNER PERPETUATION AND FILING ACT.

PATRICK A. TEALEY, L.S. NO. 4347



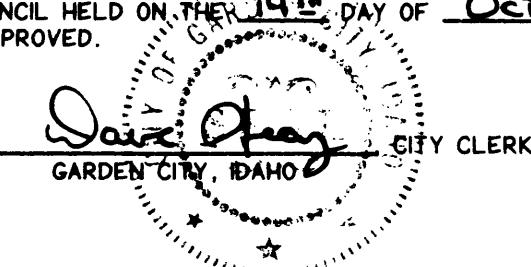
10/27/91

APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK IN AND FOR GARDEN CITY, ADA COUNTY, IDAHO DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE 14th DAY OF OCTOBER 1997, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

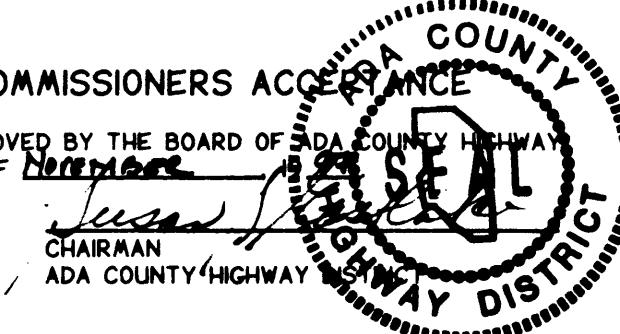


Diane Gray
GARDEN CITY, IDAHO



ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ACCEPTANCE

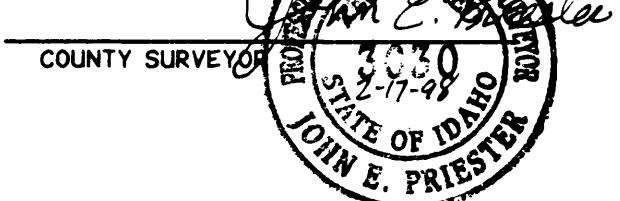
THE FOREGOING PLAT WAS ACCEPTED AND APPROVED BY THE BOARD OF ADA COUNTY HIGHWAY DISTRICT COMMISSIONERS ON THE 26th DAY OF NOVEMBER 1997.



Chairman
ADA COUNTY HIGHWAY DISTRICT

CERTIFICATE OF COUNTY SURVEYOR

I, THE UNDERSIGNED, THE COUNTY SURVEYOR FOR ADA COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE CHECKED THIS PLAT AND FIND THAT IT COMPLIES WITH THE STATE OF IDAHO CODES RELATING TO PLATS AND SURVEYS.



COUNTY SURVEYOR
10/27/97
JOHN E. PRIESTER

APPROVAL OF CENTRAL DISTRICT HEALTH DEPARTMENT

SANITARY RESTRICTIONS OF THIS PLAT ARE HEREBY REMOVED, ACCORDING TO THE LETTER TO BE READ ON FILE WITH THE COUNTY RECORDER OR HIS AGENT, LISTING THE CONDITIONS OF APPROVAL.



BY: John E. Priest 10/27/97
CENTRAL DISTRICT HEALTH DEPARTMENT

CERTIFICATE OF COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR THE COUNTY OF ADA, STATE OF IDAHO, PER THE REQUIREMENTS OF I.C., 50-1308, DO HEREBY CERTIFY THAT ANY AND ALL CURRENT AND/OR DELINQUENT COUNTY PROPERTY TAXES FOR THE PROPERTY INCLUDED IN THIS PROPOSED SUBDIVISION HAVE BEEN PAID IN FULL. THIS CERTIFICATION IS GOOD FOR THE NEXT THIRTY (30) DAYS ONLY.



Barbara Baue
2-27-98
COUNTY TREASURER



Shelly Bell
2-27-98
TREASURER

COUNTY RECORDERS CERTIFICATE

STATE OF IDAHO SS
COUNTY OF ADA SS

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED AT THE REQUEST OF Joy I. Thomas AT 15 MINUTES PAST 3 O'CLOCK P.M. THIS 2 DAY OF MARCH 1998, IN MY OFFICE AND WAS DULY RECORDED IN BOOK 75 OF PLATS AT PAGES 7849 AND 7850 UNDER INSTRUMENT NO. 1801898.

R. Miller
Deputy

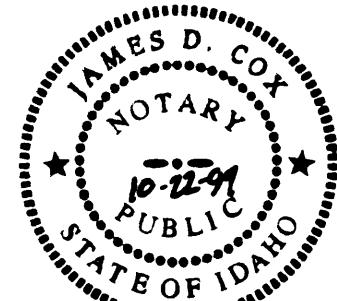
John M. Howard
EX-OFFICIO RECORDER

ACKNOWLEDGMENT

STATE OF IDAHO SS
COUNTY OF ADA SS

ON THIS 12th DAY OF DECEMBER 1991 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JOHNNY M. HOWARD, KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.



James D. Cox
NOTARY PUBLIC FOR IDAHO
RESIDING AT BOISE, IDAHO
COMMISSION EXPIRES: 02-2001

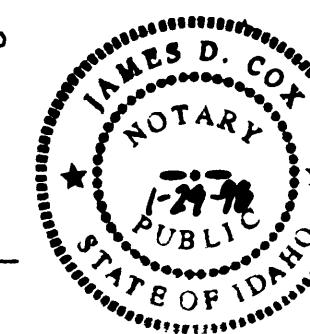
ACKNOWLEDGMENT

STATE OF IDAHO SS
COUNTY OF ADA SS

ON THIS 29th DAY OF JANUARY 1998, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED JOY I. THOMAS, KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL THE DAY AND YEAR IN THIS CERTIFICATE FIRST ABOVE WRITTEN.

Joy I. Thomas
NOTARY PUBLIC FOR IDAHO
RESIDING AT BOISE, IDAHO
COMMISSION EXPIRES: 02-2001





DATE	INVOICE NO
3/26/2025	0006526

BILL TO
HEATH DEVELOPMENT & CONSTRUCTION MANAGEMENT 1445 E. FEATHER VIEW CT EAGLE, ID 83616

DUE DATE
3/26/2025

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
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PREVIOUS OUTSTANDING BALANCE 175.00

3857 - Citation Number EASFY2025-0004:

EASVACA	1.00	1,300.00	1,300.00	0.00	0.00	1,300.00
NOTICE	1.00	0.00	0.00	0.00	0.00	0.00
INVOICE TOTAL:			1,300.00	0.00	0.00	1,300.00

PLEASE DETACH BOTTOM PORTION & REMIT WITH YOUR PAYMENT

For questions please contact us at (208) 472-2900

DUE DATE	INVOICE NO
3/26/2025	0006526

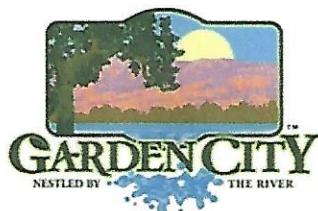
Customer Name: HEATH DEVELOPMENT & CONSTRUCTION MANAGEMENT
Customer No: 028301
Account No: 0005028 - CM Account

Please remit payment by the due date to:

City of Garden City
6015 Glenwood
Garden City, ID 83714

Invoice Total:	1,300.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	1,475.00

INVOICE BALANCE: \$1,300.00
AMOUNT PAID: _____



DATE	INVOICE NO
3/26/2025	0006526

BILL TO
HEATH DEVELOPMENT & CONSTRUCTION MANAGEMENT 1445 E. FEATHER VIEW CT EAGLE, ID 83616

DUE DATE
3/26/2025

DESCRIPTION	QUANTITY	EFFECTIVE RATE	AMOUNT	DISCOUNT	CREDIT	BALANCE
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PREVIOUS OUTSTANDING BALANCE 175.00

3857 - Citation Number EASFY2025-0004:

EASVACA	1.00	1,300.00	1,300.00	0.00	0.00	1,300.00
NOTICE	1.00	0.00	0.00	0.00	0.00	0.00

03/28/2025 04:06 PM 0 0.00 1,300.00
Receipt No. 00702521

AR 028301 - 0005028
1,300.00

EASVACA

EASVACA

PLEASE E 1,300.00

Customer Name:	HEATH DEVELO	Cash Amount:0.00
Customer No:	028301	Check Amount:1,300.00
Account No:	0005028 - CMA	Other Payments:0.00
		Change Amount:0.00
		Customer #: 028301
		Transaction Reference: #

DUE DATE	INVOICE NO
3/26/2025	0006526

Please remit payment by the due date to:

City of Garden City
6015 Glenwood
Garden City, ID 83714

Name: HEATH DEVELOPMENT & CONSTRUCTION MANAGEMENT
1445 E. FEATHER VIEW CT

EAGLE, ID 83616

Invoice Total:	1,300.00
Discounts:	0.00
Credit Applied:	0.00
Ending Balance:	1,475.00

ICE BALANCE: \$1,300.00
AMOUNT PAID: \$1,300.00

Station: UBILLINGDESK2

Balance Fwd: AR Account 0005028 HEATH DEVELOPMENT & CON\$175.00

PAID