

Vacation Process for Public Utility Easement w/ No access

All utility companies must provide permission for the City to grant a Vacation. If a utility has a line in the easement, the property owner will need to arrange with the utility company to move it. This is generally at the property owner's expense.

City Fees:

Below is a breakdown of fees associated with vacation of an easement. Fees are payable to the City of Caldwell. **Fees are non-refundable.**

Engineering fee	\$ 440.79
1 Legal notices	<u>\$ 63.00</u>
	\$ 503.79

Plus

5 - 6 Certified Ltr-Utilities @ \$ 6.30 each Depending on location.

The person requesting the vacation fills out a "Petition to Vacate application" and provides;

- A map showing the lot, the platted easement and the portion of the easement to be vacated
- A legal description of the area being vacated

Please submit documents and fees at the Public Works Directors office. Documents and fees are required before the process can begin. The vacation request application may be filed by a 2nd party on behalf of the property owner but needs to be acknowledged by signature of the property Owner.

In addition, Idaho Power requires their own application be filed with them along with \$150 fee. The application is on the ID Power website. Often the same exhibits meet the requirements of both applications.

The following is a summary of the vacation process per Idaho Statutes/State Code, Title 50: Chapter 13:

1. Petitioner submits Application and Fee's to City Public Works Office at 621 Cleveland. (Idaho Power has an additional application and fee.)
2. Certified letters, return receipt requested, are sent to all Utilities and require a return signed response of approval to proceed.
3. Once all Utilities have responded in writing, and there are no objections, a City Council hearing date will be set.
4. When all above requirements have been met, City Council will hear and may grant the request to vacate with such restrictions as they deem necessary.
5. Restrictions must be completed before Vacation is official.
6. The Vacation will be recorded by the City of Caldwell at the County Court house when it is official.
7. End

Hope you find this summary helpful. If you have questions regarding the above process feel free to call Tammy Frans during business hours Monday – Thursday at 455-4734.

Tamera Frans
City of Caldwell, Public Works
(208) 455-4734

tfrans@cityofcaldwell.org



Think Before You Print

Help us to save our environment by printing this document only if it's necessary