

RESOLUTION NO. 17 - 75

**A RESOLUTION OF THE BONNER COUNTY BOARD OF COMMISSIONERS
DECLARING EASTRIVER SPUR ROAD AN
UNMAINTAINED RIGHT-OF-WAY**

WHEREAS, the Eastriver Spur Road (the “Road”) is a right-of-way owned by the Idaho Department of Lands (IDL) and is located at least partly on lands owned by IDL; and

WHEREAS, the Road has not previously been maintained by Bonner County; and

WHEREAS, on or about October 4, 2016, Bonner County entered into an agreement with IDL to accept Easement No. ES 100114 which has no termination provision for Bonner County and which purports to bind future Boards of Commissioners to financial obligations into the indefinite future; and

WHEREAS, a bridge located on the Road has failed and will cost a substantial amount to rebuild; and

WHEREAS, the Road has a low volume of use and functions as a driveway to access a few private parcels of land with one residence and to access IDL land; and

WHEREAS, the current Bonner County Board of Commissioners has determined maintenance of the Road is not a priority for improvement using taxpayer funds, nor is expenditure of County funds on the Road in the best interest of the public; and

WHEREAS, to the extent the Road is a public right-of-way, Idaho law permits the local highway jurisdiction to declare that the right-of-way is an unmaintained right-of-way;

NOW, THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Road is hereby declared to be an unmaintained right-of-way.
2. Bonner County hereby terminates any interest it may have in IDL Easement No. ES 100114.

DATED this 15th day of August, 2017.



Bonner County Commissioner



Bonner County Commissioner



Bonner County Commissioner

ATTEST:



Bonner County Clerk