

Resolution 2023-40
Fighting Creek Landfill Right-of-Way Exchange
(Supersedes Resolution 2023-30)

WHEREAS, *Idaho Code* §31-807 vests the Board of County Commissioners with the power and authority to manage real and personal property for the benefit of the County; and

WHEREAS, Kootenai County owns certain real property, to-wit: Lots 1 & 2, Block 1 of Sperle Subdivision, according to the plat thereof recorded in Book G of Plats at Pages 200 & 200A, records of Kootenai County, Idaho, being situated in Government Lot 2 of Section 1, Township 48 North, Range 5 West, Boise Meridian, Kootenai County, Idaho, and

WHEREAS, Kootenai County further owns certain real property, to-wit: a parcel of land located in the Southwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 14, Township 48 North, Range 4 West, Boise Meridian, Kootenai County, Idaho (AIN 312328); and

WHEREAS, the Worley Highway District owns a certain right of way known as Beaudreau Road located over a portion of Lots 1, 2, 3, 4, and 5, Block 1, of the Sperle Subdivision, according to the plat thereof recorded in Book G of the Plats at pages 200 and 200A, records of Kootenai County, Idaho and Government Lot 3, the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, and the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 1, Township 48 North, Range 5 West, Boise Meridian, Kootenai County, Idaho; and

WHEREAS, *Idaho Code* §31-808(9) vests the Board of County Commissioners with the power and authority, at its discretion, to grant to or exchange with any political subdivision or taxing district, with or without compensation, any real property owned by the County; and

WHEREAS, *Idaho Code* §40-1309 vests the Worley Highway District with the authority to sell or exchange real property; and

WHEREAS, a right-of-way deed exchange is sought by the Kootenai County Solid Waste Department and the Worley Highway District to effect the realignment of the current right-of-way, to the mutual benefit of both parties;

NOW THEREFORE, BE IT HEREBY RESOLVED that the Kootenai County Board of Commissioners finds that the right-of-way exchange of the properties identified hereinabove is in the public interest and will benefit the residents of Kootenai County.

BE IT FURTHER RESOLVED that the Kootenai County Board of Commissioners hereby authorizes the right-of-way deed exchange of the above-referenced real properties pursuant to *Idaho Code* §31-808(9).

BE IT FURTHER RESOLVED that the Kootenai County Board of Commissioners hereby authorizes the execution and recording of a Right-of-Way Exchange Deed evidencing such transfer.

Upon a motion to adopt the text of the foregoing Resolution made by Commissioner Mattare, seconded by Commissioner Duncan, the following vote was recorded:

Commissioner Brooks:	Excused
Commissioner Mattare:	Aye
Chair Duncan:	Aye

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Commissioners of Kootenai County, Idaho on the 20th day of June, 2023.

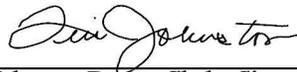
Dated this 20th day of June, 2023.

KOOTENAI COUNTY
BOARD OF COMMISSIONERS

ATTEST:
JENNIFER LOCKE, CLERK



Leslie Duncan, Commissioner - Signed 6/20/2023



Teri Johnston, Deputy Clerk - Signed 6/20/2023



Bruce E. Mattare, Commissioner - Signed 6/20/2023