

EXECUTIVE SUMMARY

PUBLIC HEARING - INTENT TO EXCHANGE PROPERTY

To: Mayor Blad & Pocatello City Council
From: Matthew G. Lewis, M.S. Senior Planner
Date: April 3, 2025

The City Council may recall declaring their intent to exchange real property between the City of Pocatello and Mr. Gary Ratliff at the meeting held on March 6, 2025. Planning Staff provided notice of the exchange and date of public hearing in the Idaho State Journal at least fourteen (14) days prior to this evenings meeting in accordance with Idaho Code §50-1402.

BACKGROUND

- In October 2009 a number of individuals associated with the rock-climbing community approached City Staff expressing concern with the fact that the southern-most basalt cliff better known as the “Sunny Side” was not owned by the City but rather was privately owned by Gary Ratliff. There are currently 4/5 rock climbing routes and a foot path used to set-up ropes along the entire basalt cliff. Mr. Ratliff has gradually come closer to encroaching upon the foot path through the use of his property to extract gravel.
- Matthew Lewis, Senior Planner and Gary Ratliff met in March of 2012 at which time the possibility of exchanging real property was discussed and agreed upon in principal.
- The possibility of the proposed exchange was brought before the Pocatello City Council at a work session held on May 10, 2012. Following the presentation City Council directed staff to research and prepare documents related to the proposed land swap (see attached minutes).
- Staff followed up by ordering a preliminary title commitment for the property located at 3920 South 2nd Avenue. Said title commitment indicated that there was an incumbrance on the property owed to D.L. Evans Bank. Before the trade could move forward the encumbrance needed to be removed. (See attached correspondence dated June 19, 2012).

- Momentum regarding the trade slowed in light of the aforementioned incumbrance and City staff workload to complete surveying in the field and legal descriptions. Mr. Ratliff was also in/out of the Country making it difficult to communicate.
- More recently – Staff meet with Mr. Ratliff to bring the proposed trade back to the table. In the discussion Mr. Ratliff was unaware of the incumbrance at which time he told me to contact Ricky Evans with D.L. Evans Bank. During a telephone call Mr. Evans noted that the issue would be resolved but a survey with legal descriptions regarding the trade would be needed.
- Staff retained Sunrise Engineering for surveying services which included:
 - o Locate controlling corners & determine existing property boundaries
 - o Research records & analyze adjoiners boundaries
 - o Write legal descriptions for 2 new parcels
 - o Prepare Record of Survey (ROS) and set monuments of parcel corners
- A copy of the ROS is attached. Based on State Code the map with the legal descriptions and deeds must be recorded no later than 90-days following setting the monuments in the field.

EXECUTIVE SUMMARY

DECLARATION OF INTENT TO EXCHANGE PROPERTY

To: Mayor Blad & Pocatello City Council
From: Matthew G. Lewis, M.S. Senior Planner
Date: March 6, 2025

BACKGROUND

- In October 2009 a number of individuals associated with the rock-climbing community approached City Staff expressing concern with the fact that the southern-most basalt cliff better known as the “Sunny Side” was not owned by the City but rather was privately owned by Gary Ratliff. There are currently 4/5 rock climbing routes and a foot path used to set-up ropes along the entire basalt cliff. Mr. Ratliff has gradually come closer to encroaching upon the foot path through the use of his property to extract gravel.
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STAFF RECOMMENDATION

- Following a declaration of intent exchange real property, if the Council chooses to do so, the City Clerk shall publish a summary of the action taken by the Council in the official newspaper of the city and provide notice of a public hearing before the city council. Notice of the public hearing concerning the proposed exchange shall be published at least fourteen (14) days prior to the date of the hearing in accordance with Idaho Code §50-1402.
- Appraisal – In light of the “public good” in preserving a community asset, the Planning & Development Services Staff recommends that the appraisals of the two (2) be waived.

ATTACHMENT A
CITY COUNCIL WORKSESSION MINUTES MAY
10, 2012

AGENDA ITEM NO. 7: Randy Ghezzi, Street Operations Director,
PORPOSED TRAFFIC was present to update the Council on a
SIGNAL COORDINATION traffic signal coordination project with
AND MAINTENANCE the City of Pocatello, Idaho
CONSOLIDATION Transportation Department, Bannock
PROJECT UPDATE Transportation Planning Organization and
the City of Chubbuck. Mr. Ghezzi

reviewed proposed steps to implement the roles and responsibilities for the control system. He explained that it has been a cooperative effort to cycle the traffic signals together. It has been found that when changes are made by one entity it affects other traffic signals causing delays, etc. These issues will be corrected by this proposed change. Mr. Ghezzi explained the City of Pocatello will oversee the coordination efforts. He noted an electrician was hired last year to maintain the traffic signals for their department and is ready to start the project.

In response to questions from Council, Mr. Ghezzi explained costs will be based upon the traffic signals within each community and intersections that border city limits. The coordination will help correct problems on long stretches of road such as 4th Avenue and Center/Clark intersections. Staff plans to have the project completed by the end of 2012.

AGENDA ITEM NO. 8: Matthew Lewis, Planning Division Manager,
PROPOSED PROPERTY was present to provide background
TRADE-SOUTH SECOND information regarding a proposed land
AVENUE "SUNNYSIDE" trade between the City and Gary Ratliff
CLIMBING WALL and to seek further direction from the
Council of how to proceed. The parcels

in question are adjacent to South Second Avenue and the basalt cliff commonly referred to as the "Sunnyside" climbing wall. Mr. Lewis noted the climbing cliffs are owned by Mr. Ratliff and not by the City. He explained City staff met with Mr. Ratliff in 2009 to discuss a possible land trade of the property. The climbing community has become concerned that access to the cliffs may abruptly end because the pathway is on private property. As a result, Mr. Lewis is seeking direction from Council for the following: a) allow staff to waive the appraisal process because of the recreation need; and b) to move forward declaring the intent to trade the property.

It was mentioned that the Parks Department does not have any plans to modify the parking lot located near the cliffs.

Mr. Moore feels the cliffs are a great asset for the community and appreciates Mr. Ratliff's willingness to trade.

CITY COUNCIL STUDY SESSION
MAY 10, 2012

5

Mr. Lewis noted that Idaho State University promotes use of the cliffs and climbers travel to Pocatello specifically to use the cliffs. He mentioned the trail will connect with the Zoo once it is completed.

It was the consensus of the Council for staff to research and prepare documents related to the proposed land swap.

Mayor Blad adjourned the Study Session at 10:29 A.M.

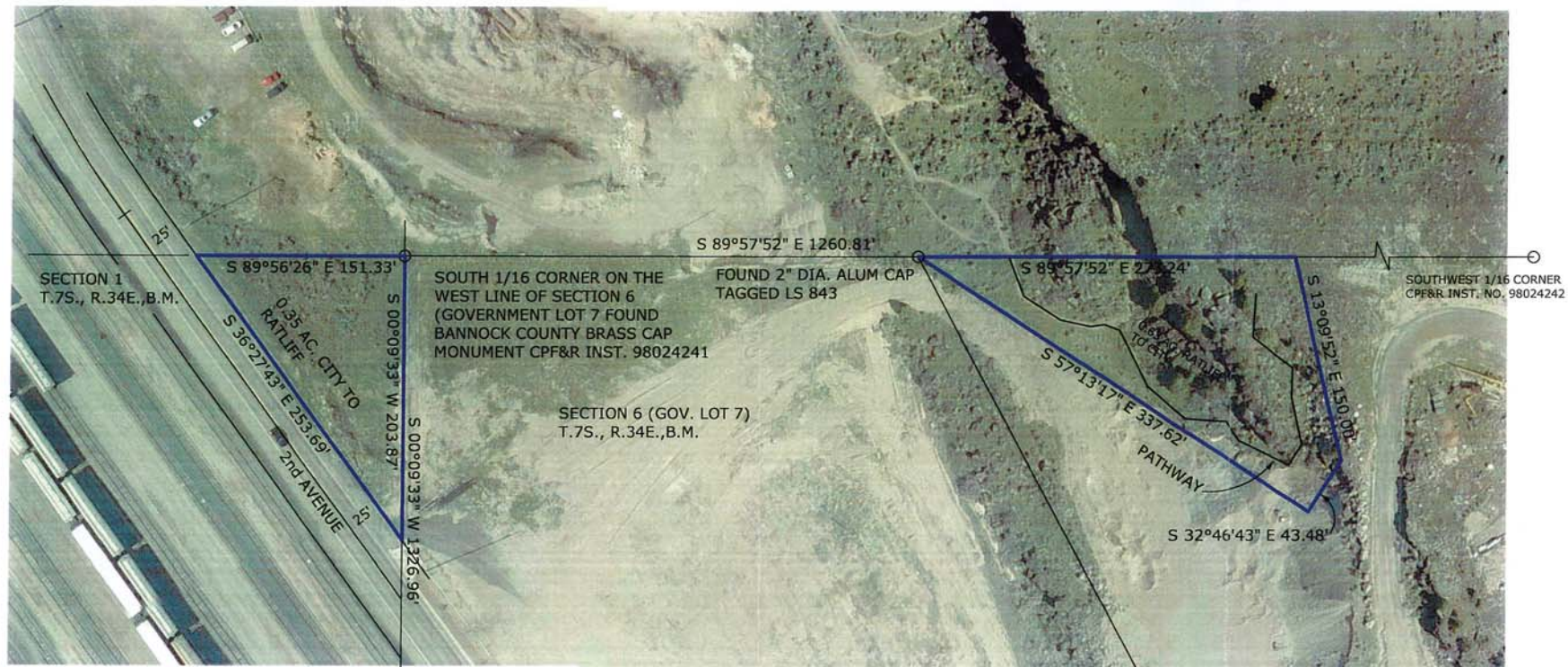
APPROVED:

BRIAN C. BLAD, MAYOR

ATTEST:

RUTH E. WHITWORTH, CMC, CITY CLERK

ATTACHMENT B
AERIAL OF THE PARCELS IN QUESTION



PROPOSED LAND TRADE BETWEEN CITY OF POCATELLO AND
INTERMOUNTAIN SELF STORAGE L.L.C.(GARY G. RATLIFF)

ATTACHMENT C

**RECORD OF SURVEY COMPLETED BY SUNRISE
ENGINEERING**

RECORD OF SURVEY FOR:
CITY OF POCA TELLO

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 34 EAST AND THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO

PARCEL A

A PARCEL OF LAND LOCATED IN THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 34 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/16 CORNER ON THE WEST LINE OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BEING MARKED BY A BANNOCK COUNTY BRASS CAP MONUMENT AS DESCRIBED IN CP&F INST. 98024241;

THENCE SOUTH 00°09'49" WEST, ALONG THE WEST LINE OF SECTION 6, A DISTANCE OF 203.85 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SOUTH SECOND AVENUE;

THENCE NORTH 38°27'43" WEST, LEAVING THE WEST LINE OF SECTION 6 AND FOLLOWING ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF SOUTH SECOND AVENUE, A DISTANCE OF 233.66 FEET;

THENCE SOUTH 89°56'26" EAST, LEAVING SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF SOUTH SECOND AVENUE, A DISTANCE OF 151.33 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 0.35 ACRES, MORE OR LESS.

PARCEL B

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH 1/16 CORNER ON THE WEST LINE OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BEING MARKED BY A BANNOCK COUNTY BRASS CAP MONUMENT AS DESCRIBED IN CP&F INST. 98024241;

THENCE SOUTH 89°57'52" EAST, ALONG THE SOUTH 1/16 LINE OF SECTION 6, A DISTANCE OF 371.86 FEET TO THE **POINT OF BEGINNING**;

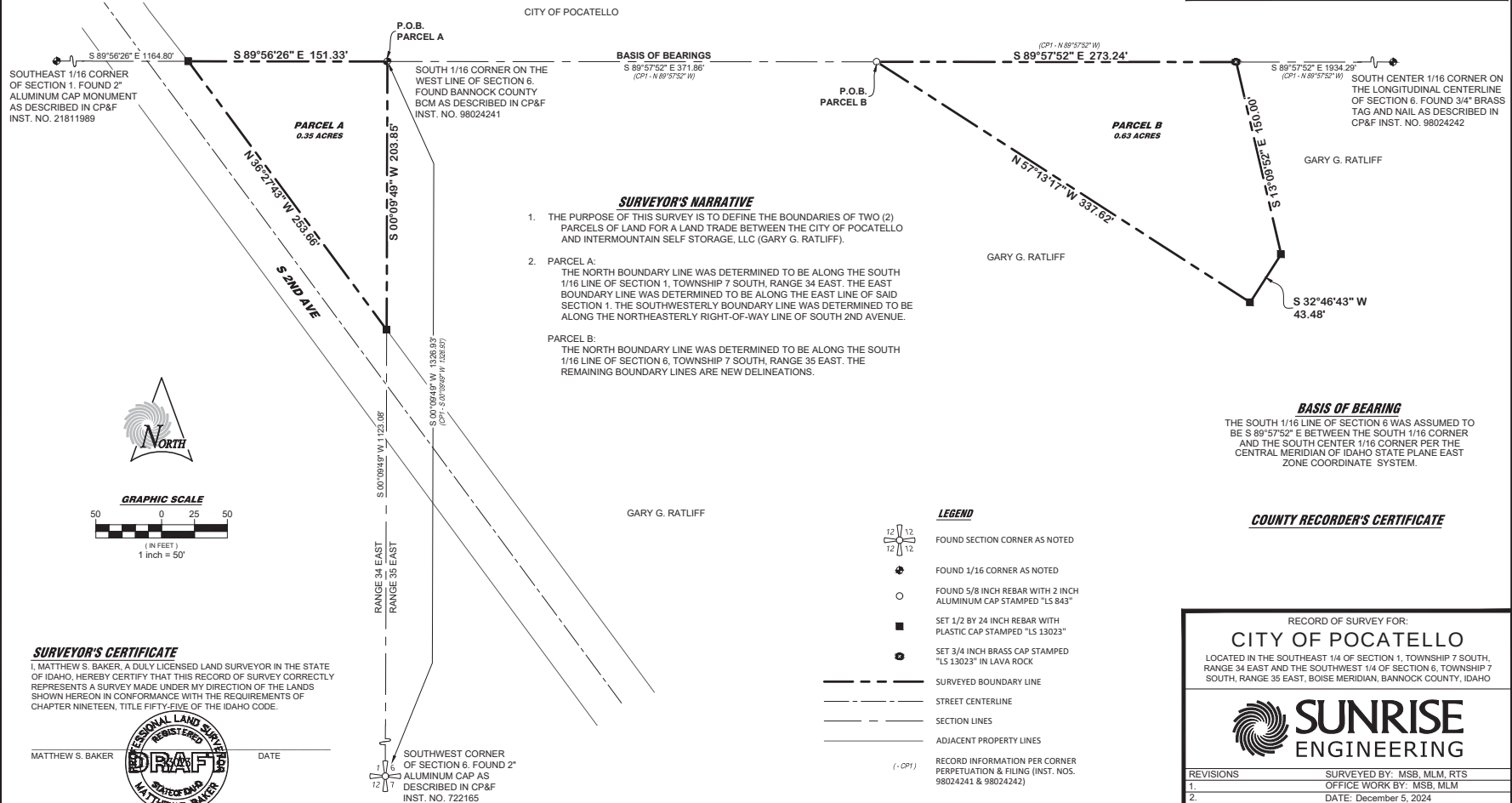
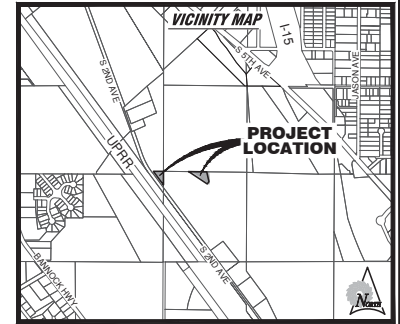
THENCE CONTINUING SOUTH 89°57'52" EAST, A DISTANCE OF 273.24 FEET;

THENCE SOUTH 13°09'52" EAST, LEAVING SAID SOUTH 1/16 LINE OF SECTION 6, A DISTANCE OF 150.00 FEET;

THENCE SOUTH 32°46'43" WEST A DISTANCE OF 43.48 FEET;

THENCE NORTH 57°13'17" WEST A DISTANCE OF 337.62 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 0.63 ACRES, MORE OR LESS.



SURVEYOR'S NARRATIVE

1. THE PURPOSE OF THIS SURVEY IS TO DEFINE THE BOUNDARIES OF TWO (2) PARCELS OF LAND FOR A LAND TRADE BETWEEN THE CITY OF POCA TELLO AND INTERMOUNTAIN SELF STORAGE, LLC (GARY G. RATLIFF).

2. **PARCEL A:**
THE NORTH BOUNDARY LINE WAS DETERMINED TO BE ALONG THE SOUTH 1/16 LINE OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 34 EAST. THE EAST BOUNDARY LINE WAS DETERMINED TO BE ALONG THE EAST LINE OF SAID SECTION 1. THE SOUTHWESTERLY BOUNDARY LINE WAS DETERMINED TO BE ALONG THE NORTHEASTERLY RIGHT-OF-WAY LINE OF SOUTH 2ND AVENUE.

PARCEL B:
THE NORTH BOUNDARY LINE WAS DETERMINED TO BE ALONG THE SOUTH 1/16 LINE OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 35 EAST. THE REMAINING BOUNDARY LINES ARE NEW DELINEATIONS.

BASIS OF BEARING

THE SOUTH 1/16 LINE OF SECTION 6 WAS ASSUMED TO BE S 89°57'52" E BETWEEN THE SOUTH 1/16 CORNER AND THE SOUTH CENTER 1/16 CORNER PER THE CENTRAL MERIDIAN OF IDAHO STATE PLANE EAST ZONE COORDINATE SYSTEM.

COUNTY RECORDER'S CERTIFICATE

RECORD OF SURVEY FOR:
CITY OF POCA TELLO

LOCATED IN THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 7 SOUTH, RANGE 34 EAST AND THE SOUTHWEST 1/4 OF SECTION 6, TOWNSHIP 7 SOUTH, RANGE 35 EAST, BOISE MERIDIAN, BANNOCK COUNTY, IDAHO



REVISIONS	SURVEYED BY: MSB, MLM, RTS
1.	OFFICE WORK BY: MSB, MLM
2.	DATE: December 5, 2024
DRAWING: P:\City of Pocatello\10840 - Boundary Survey\SURVEY\CAD\COP	
Survey Base.dwg	
SCALE: 1 INCH = 50 FEET	PROJECT NO: 10840
SHEET 1 OF 1	

ATTACHMENT D
DRAFT LEGAL NOTICE FOR ISJ

* * NOTICE OF PUBLIC HEARING * *

MEETING DATE: Thursday, April 3, 2025

MEETING TIME: 6:00 p.m.

PLACE: Council Chambers, Municipal Building, 911 N. 7th Avenue, Pocatello, Idaho

ORGANIZATION HOLDING HEARING: Pocatello City Council

The Pocatello City Council will hear comments from the public concerning a proposed exchange of real property located between 3920 and 3960 South 2nd Avenue. Legal description and map are available at City Hall.

At the regular scheduled City Council meeting of March 6, 2025 the City Council declared property located between 3920 and 3960 South 2nd Avenue underutilized and as surplus and further declared their intent to exchange said real property.

All interested persons are invited to attend the hearing to express their views regarding this proposal. Oral testimony may be offered at the meeting and may be restricted to no more than 3 minutes per person. Written testimony may be submitted up to the time of or at the hearing or submitted to the Planning & Development Services Department attention Matthew G. Lewis. Additional information may be obtained by calling 208.234.6190 or e-mailing mlewis@pocatello.gov.

In accordance with the American with Disabilities Act, it is the policy of the City of Pocatello to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are disabled and require an accommodation, please contact Skyler Beebe within two (2) business days advance notice at sbeebe@pocatello.gov; 208.234.6248; or 5815 South 5th Avenue, Pocatello, Idaho. Advance notification within this guideline will enable the City to make reasonable arrangements to ensure accessibility.

PUBLICATION DATE: Thursday, March 20, 2025