

## CHAPTER 78

(H.B. No. 444)

## AN ACT

RELATING TO COUNTY WIDE HIGHWAY DISTRICTS AND THE DEDICATION AND RECORDING OF PLATS; AMENDING SECTION 50-1312, IDAHO CODE, PROVIDING THAT IN A COUNTY WHERE A COUNTY WIDE HIGHWAY DISTRICT EXISTS AND IS OPERATING NO PLAT SHALL BE ACCEPTED FOR RECORDING UNTIL ACCEPTANCE OF ANY DEDICATION OF STREETS, ALLEYS AND HIGHWAYS BY THE COUNTY WIDE HIGHWAY DISTRICT IS ENDORSED THEREON IN WRITING; AMENDING SECTION 50-1313, IDAHO CODE, PROVIDING THAT ANY DEDICATION OF A STREET, ALLEY OR HIGHWAY BY THE OWNER TO THE PUBLIC SHALL NOT CREATE A PUBLIC STREET, ALLEY OR HIGHWAY UNLESS AND UNTIL SUCH DEDICATION HAS BEEN ACCEPTED BY THE COMMISSIONERS OF THE COUNTY WIDE HIGHWAY DISTRICT; AND DECLARING AN EMERGENCY.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 50-1312, Idaho Code, be, and the same is hereby amended to read as follows:

50-1312. EFFECT OF ACKNOWLEDGING AND RECORDING PLAT. The acknowledgment and recording of such plat is equivalent to a deed in fee simple of such portion of the premises platted as is on such plat set apart for streets or other public use, or as is thereon dedicated to charitable, religious or educational purposes; provided, however, that in a county where a county wide highway district exists and is in operation no such plat shall be accepted for recording by the county recorder unless the acceptance of said plat by the commissioners of the county wide highway district is endorsed thereon in writing.

SECTION 2. That Section 50-1313, Idaho Code, be, and the same is hereby amended to read as follows:

50-1313. DEDICATION MUST BE ACCEPTED. No street or alley or highway hereafter dedicated by the owner to the public shall be deemed a public street, highway or alley, or be under the use or control of said city or county wide highway district unless the dedication shall be accepted and confirmed by the city council or by the commissioners of the county wide highway district.

SECTION 3. An emergency existing therefor, which emergency is hereby declared to exist, this act shall be in full force and effect on and after its passage and approval.

Approved March 10, 1978.