

PARAMOUNT POINT SUBDIVISION

PEDESTRIAN PATHWAY EASEMENT

THIS AGREEMENT, made this 3rd day of July, 2021, between **First Federal Savings Bank of Twin Falls**, a federally chartered savings bank and **BVA UC RE Paramount LLC**, hereinafter collectively referred to as “Grantor”, and the City of Meridian, an Idaho municipal corporation, hereinafter referred to as “Grantee”;

WITNESSETH:

WHEREAS, Grantor is the owner of real property on portions of which the City of Meridian desires to establish a public pathway; and

WHEREAS, the Grantor desires to grant an easement to establish a public pathway and provide connectivity to present and future portions of the pathway; and

WHEREAS, Grantor shall construct the pathway improvements upon the easement described herein; and

NOW, THEREFORE, the parties agree as follows:

THE GRANTOR does hereby grant unto the Grantee an easement on the following property, described on Exhibit “A” and depicted on Exhibit “B” attached hereto and incorporated herein.

THE EASEMENT hereby granted is (i) for the purpose of providing a public pedestrian pathway easement for multiple-use non-motorized recreation, with the free right of access to such facilities at any and all times, (ii) perpetual, (iii) subject to all easements and encumbrances of record; and (iv) non-exclusive, provided that any later granted easement shall be subject to Grantee's rights and uses set forth herein.

TO HAVE AND TO HOLD, said easement unto said Grantee, its successors and assigns forever.

THE GRANTOR hereby covenants and agrees that it will not place or allow to be placed any permanent structures, trees, brush, or perennial shrubs or flowers within the area described for this easement, which would interfere with the use of said easement, for the purposes stated herein.

IT IS EXPRESSLY UNDERSTOOD AND AGREED, by and between the parties hereto, that the Grantor shall repair and maintain the pathway improvements.

THE GRANTOR hereby covenants and agrees with the Grantee that should any part of the easement hereby granted become part of, or lie within the boundaries of any public street,

then, to such extent such easement hereby granted which lies within such boundary thereof or which is a part thereof, shall cease and become null and void and of no further effect and shall be completely relinquished.

THE GRANTOR does hereby covenant with the Grantee that it is lawfully seized and possessed of the aforementioned and described tract of land, and that it has a good and lawful right to convey said easement, and that it will warrant and forever defend the title and quiet possession thereof against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has hereunto subscribed its signature the day and year first hereinabove written.

GRANTOR:

FIRST FEDERAL SAVINGS BANK OF TWIN FALLS
a federally chartered savings bank

By: Jason A. Meyerhoeffer
Jason A. Meyerhoeffer, President & CEO

BVA UC RE PARAMOUNT LLC,
an Idaho limited liability company

By: BV Management Services, Inc., Executive Manager

By: _____
Cortney Liddiard, President

State of Idaho)
) ss.
County of Ada)

This instrument was signed or acknowledged before me on June 18, 2021, by Jason A. Meyerhoeffer, as President & CEO of First Federal Savings Bank of Twin Falls.



Jonathan Schreurs
My commission expires: 11/30/26

State of Idaho)
) ss.
County of Ada)

This instrument was signed or acknowledged before me on June ____, 2021, by Cortney Liddiard, as President of BV Management Services, Inc., the Executive Manager of BVA UC RE Paramount LLC.

My commission expires: _____

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor 7-13-2021

Attest by Chris Johnson, City Clerk 7-13-2021

STATE OF IDAHO,)
 : ss.
County of Ada)

This record was acknowledged before me on 7-13-2021 (date) by Robert E. Simison and Chris Johnson on behalf of the City of Meridian, in their capacities as Mayor and City Clerk, respectively.

(stamp)

Notary Signature
My Commission Expires: 3-28-2022



Date: June 16, 2021
Project: ID-2166-2001
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EXHIBIT "A"
PEDESTRIAN PATHWAY EASEMENT

This easement is situated in a portion of Parcel "A" and Parcel "B" of Record of Survey Property Boundary Adjustment No. 12300, records of Ada county, and located in the N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ of Section 25, Township 4 North, Range 1 West of the Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the northwest corner of said N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$, from which the northeast corner of the N.E. $\frac{1}{4}$ of said Section 25 bears S.89°37'14"E., 2669.41 feet; thence along the west boundary of said N.W. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$,

- 1) S.00°31'43"W., 40.00 feet to the northwest corner of said Parcel "B", thence along the west boundary of said parcel "B";
- 2) S.00°31'43"W., 44.00 feet to the **POINT OF BEGINNING**; thence leaving said west boundary,
- 3) S.89°37'14"E., 144.90 feet to a point on the west boundary of Parcel "A" of said Record of Survey Property Boundary Adjustment; thence,
- 4) S.89°37'14"E., 146.31 feet; thence,
- 5) N.00°22'46"E., 14.00 feet to a point on the north boundary of said Parcel "A"; thence continuing,
- 6) S.89°37'14"E., 2.32 feet; thence continuing along said north boundary,
- 7) S.44°30'57"E., 39.53 feet; thence leaving said boundary,
- 8) N.89°37'14"W., 176.57 feet to a point on the west boundary of Parcel "A" of said Record of Survey Property Boundary Adjustment; thence,
- 9) N.89°37'14"W., 144.90 feet to a point on the west boundary of Parcel "B" of said Record of Survey Property Boundary Adjustment; thence along said west boundary,

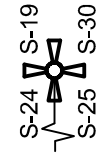
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10) N.00°31'43"E., 14.00 feet to the **POINT OF BEGINNING**.

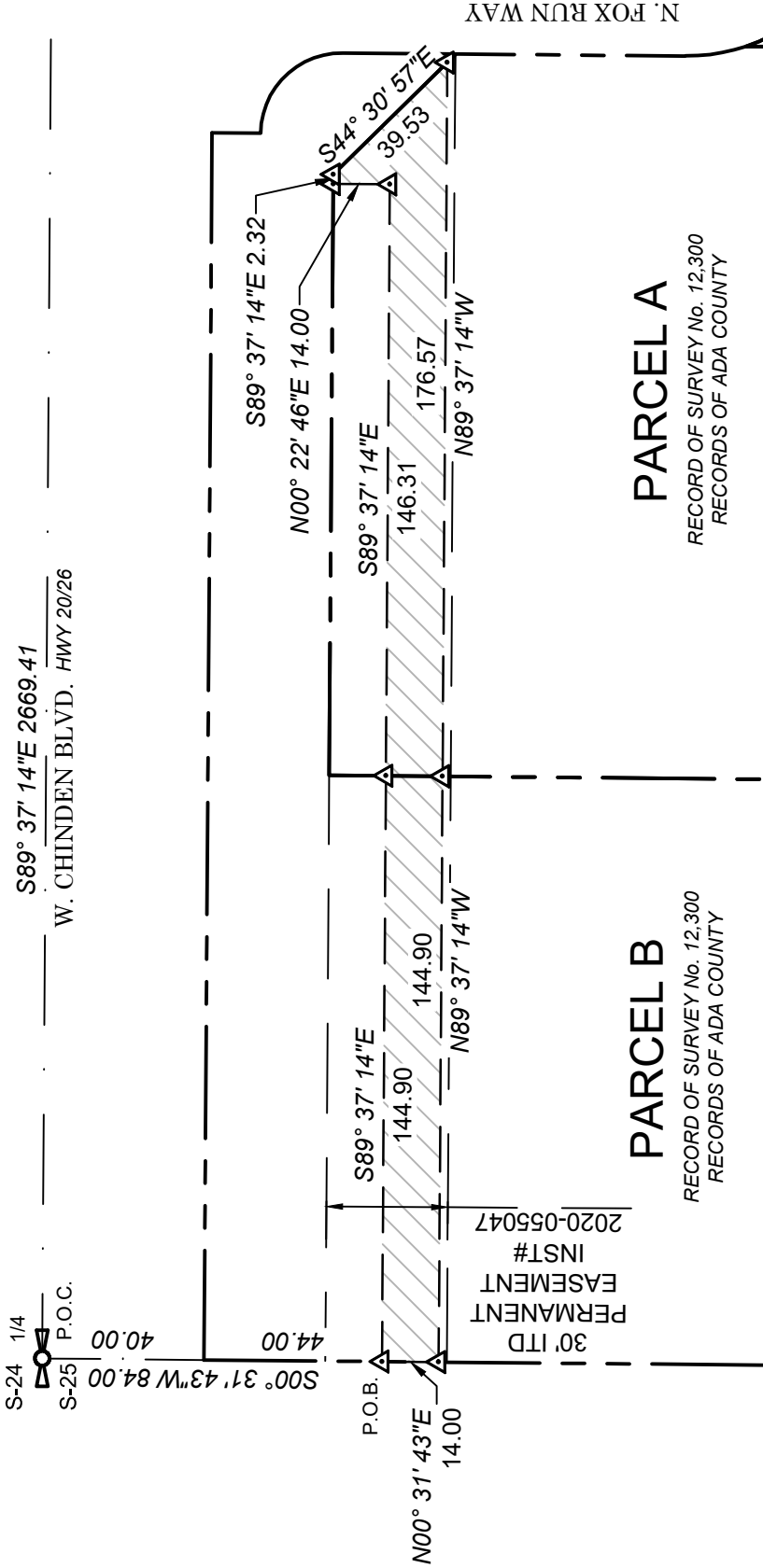


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PEDESTRIAN PATHWAY EASEMENT



- LEGEND:**
- ▲ CALCULATED POINT
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - SECTION LINE
 - - - BOUNDARY LINE
 - - - EASEMENT LINE
 - /// PEDESTRIAN PATHWAY EASEMENT



PARCEL B

RECORD OF SURVEY No. 12,300
RECORDS OF ADA COUNTY

PARCEL A

RECORD OF SURVEY No. 12,300
RECORDS OF ADA COUNTY

HORROCKS ENGINEERS
2775 West Navigator Dr., Suite 210
Meridian, ID 83642
(208) 895-2520
www.horrocksis.com

WARNING
1/2
IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE

EXHIBIT B

N.W. 1/4, N.E.1/4, SECTION 25, T4N, R1W

DRAWING INFO	
DATE	06/17/21
SCALE	N.T.S.
REV #	DATE
00	00/00/0000
SEE 2ND SHEET FOR LISTING	
PROJ. NO. = ID-2166-2001	

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