

ESMT-2021-0116 Detached Baron Black Cat

PEDESTRIAN PATHWAY EASEMENT

THIS AGREEMENT, made this 19th day of October 2021, between BLACK CAT APTS LLC, hereinafter 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 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.

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.

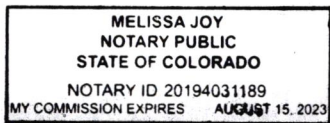
GRANTOR:



STATE OF ~~IDAHO~~)
 Colorado) ss
County of ~~Ada~~)
 Denver

This record was acknowledged before me on October 4, 2021 (date) by J. Jeffrey Riggs (name of individual), [complete the following if signing in a representative capacity, or strike the following if signing in an individual capacity] on behalf of Black Cat Apts LLC (name of entity on behalf of whom record was executed), in the following representative capacity: Manager (type of authority such as officer or trustee)

(stamp)





Notary Signature
My Commission Expires: August 15, 2023

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor 10-19-2021

Attest by Chris Johnson, City Clerk 10-19-2021

STATE OF IDAHO,)

: ss.

County of Ada)

This record was acknowledged before me on 10-19-2021 (date) by Robert E. Simison and Chris Johnson on behalf of the City of Meridian, in their capacities as Mayor and City Clerk, respectively.

Notary Signature

My Commission Expires: 3-28-2022

EXHIBIT A

**DESCRIPTION FOR
DETACHED BARON BLACK CAT SUBDIVISION
CITY OF MERIDIAN SIDEWALK EASEMENT**

A portion of the SW 1/4 of the SW 1/4 of Section 22, T.4N., R.1W., B.M., City of Meridian, Ada County, Idaho more particularly described as follows:

Commencing at the SW corner of said Section 22 from which the S1/4 corner of said Section 22 bears South 89°17'18" East, 2647.24 feet;

thence North 39°12'23" East, 127.82 feet to the **REAL POINT OF BEGINNING**;

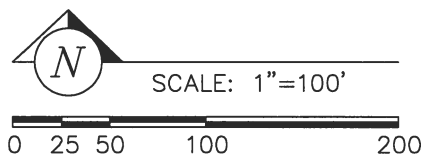
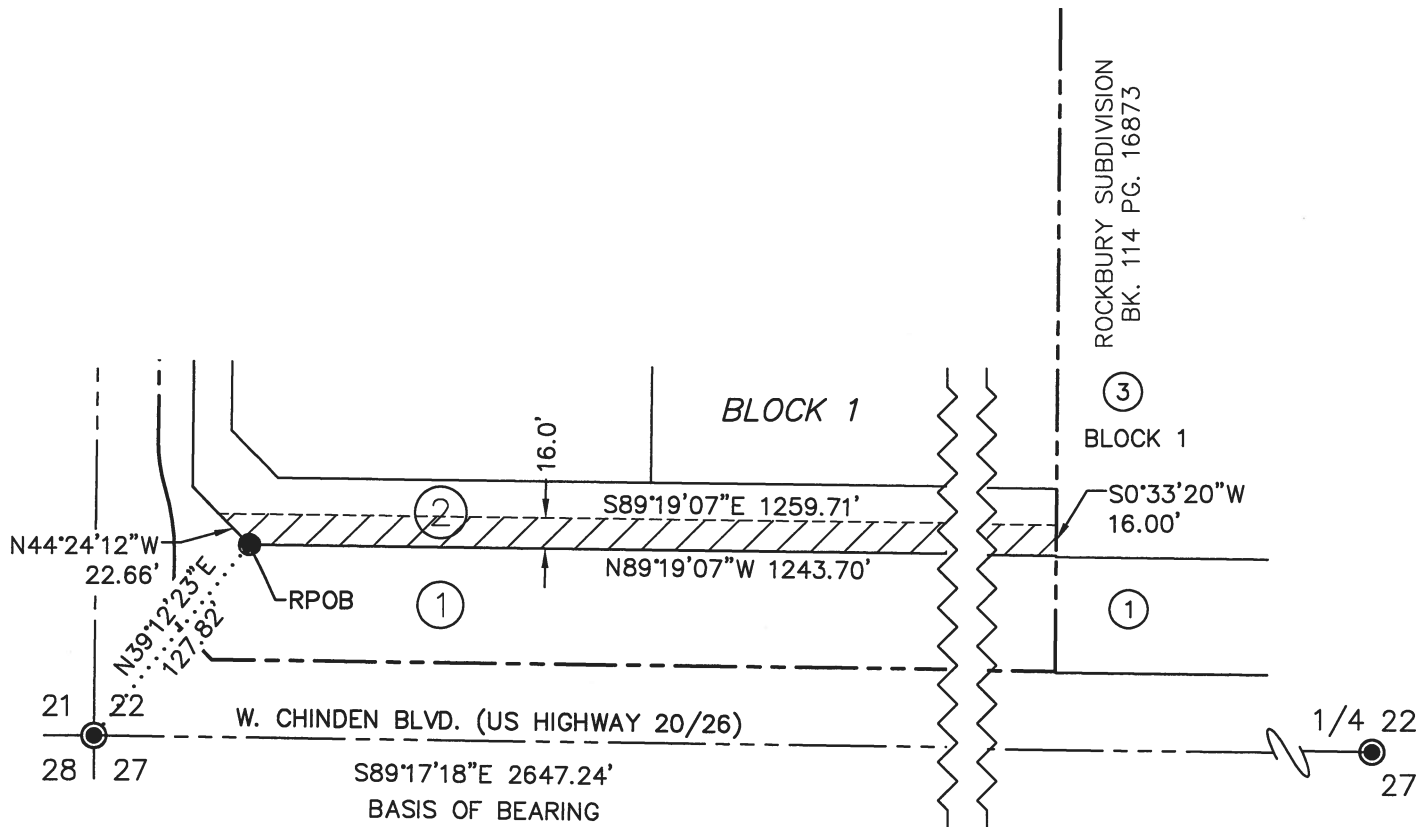
thence North 44°24'12" West, 22.66 feet;

thence South 89°19'07" East, 1,259.71 feet to a point on the West boundary line of Lot 3, Block 1 of Rockbury Subdivision as filed in Book 114 of Plats at Pages 16873 through 16878, records of Ada County, Idaho;

thence along the West boundary line of said Rockbury Subdivision South 00°33'20" West, 16.00 feet;

thence leaving said West boundary line North 89°19'07" West, 1,243.70 feet to the **REAL POINT OF BEGINNING**.





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 IDAHO SURVEY GROUP, LLC 9955 W. EMERALD ST. BOISE, IDAHO 83704 (208) 846-8570	EXHIBIT B DRAWING FOR DETACHED BARON BLACK CAT SUBDIVISION SIDEWALK EASEMENT LOCATED IN THE SW 1/4 OF THE SW 1/4 OF SECTION 22 TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, MERIDIAN, ADA COUNTY, IDAHO	JOB NO. 19-144 SHEET NO. 1 DWG. DATE 4/12/2021
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