



Mayor Robert E. Simison

City Council Members:

Treg Bernt
Joe Borton
Luke Cavener

Brad Hoaglund
Jessica Perreault
Liz Strader

MEMORANDUM

TO: Mayor Simison and City Council

FROM: Mike Barton, Parks Superintendent

DATE: Sept 1, 2021

RE: Permanent Pathway Easement Purchases

On the north side of McMillan Road just west of Locust Grove Road there's an unimproved [pathway] segment along a critical walking/biking route for students attending Heritage Middle School. This stretch becomes so muddy in the winter that students are often observed walking along the roadway on McMillan where there are no existing pedestrian facilities. Because the site is unlikely to develop in the near future, staff are proposing a paved pathway from the end of the existing pathway at the Tustin Subdivision across two privately owned parcels to the intersection at Locust Grove Road.

The first step in pathway construction is gaining owner permission to cross the two private parcels. To this end, we have negotiated the purchase of two pathway easements. Funds are available in our existing budget for this easement purchase and also for pathway construction.

The accompanying easement purchase documents have been reviewed and approved by our Legal department. Dedicated easements for the same parcels, which also appear on this consent agenda, have likewise been approved by staff through our standard review process.

At this time we are seeking Council approval of two Permanent Easement Purchase Contracts for the Barnett and Barnett Rentals properties in order to complete this mile of pathway along McMillan Road.

City of Meridian
33 East Broadway Ave., Meridian, ID 83642

PERMANENT EASEMENT CONTRACT

Project Description: Lemp Pathway Easement- Barnett Property
Parcel # and Owner: R5147490611 Edgar R. Barnett
Date of Offer: 24 August 2021

THIS RIGHT-OF-WAY CONTRACT, made this _____ day of _____ 2021, between the City of Meridian, acting by its Mayor and Council, herein called "CITY" and Edgar R. Barnett, herein called "GRANTOR".

WHEREAS, subject to the terms outlined below, GRANTOR agrees to deliver to the CITY a Permanent Public Easement, to allow for construction of a 10' wide paved pathway segment, included herewith as Exhibit "A" :

NOW THEREFORE, the parties hereto agree as follows:

1. CITY shall pay GRANTOR such sums of money and/or benefits as are set out below:

ITEM DESCRIPTION	AREA (Ft ²)	GROSS VALUE (\$/Ft ²)	VALUATION FACTOR	EASEMENT VALUE (\$)
Permanent Easement	2377	\$3.10	79%	\$ 5,821.50

In consideration of the GRANTOR'S agreement to utilize a valuation of \$3.10 per square foot of the property, based on current assessed value of \$376,900 or \$135,041.20 per acre.

2. TOTAL EASEMENT CASH SETTLEMENT AMOUNT \$ 5,821.50

3. This Contract shall not be binding unless and until executed by the Mayor and/or their authorized representatives. The parties have herein set out the whole of their agreement, the performance of which constitutes the entire consideration for the granting of said easement and shall relieve the CITY of all further claims or obligations on that account or on account of the location, grade, construction and maintenance of the proposed easement improvements.

4. The parties whose names appear below as Grantors, covenant and warrant that they are the OWNERS of the property to which this document applies, are fully authorized to execute this document and forever bind themselves, their successors and assigns and the subject property to the terms set forth herein.

IN WITNESS WHEREOF, the parties have executed this contract the day and year first above written.

CITY OF MERIDIAN

By: _____
Robert E. Simison, Mayor

ATTEST: _____
Chris Johnson, City Clerk

Date approved by Council: _____

GRANTOR

By: Edgar R. Barnett
Edgar R. Barnett, Owner

Date: 8/25/2021



601 Sherman Ave, Suite 1
Coeur d'Alene, ID 83814

(208) 758-8601

**EXHIBIT A
LEGAL DESCRIPTION
of
SIDEWALK EASEMENT
EDGAR R. BARNETT
TO
CITY OF MERIDIAN**

That portion of Lots 14 and Lot 13, Block 2 of Larkwood Subdivision, according to the plat thereof, filed in Book 58 of Plats at pages 5494 and 5495, and Amended by an Affidavit recorded January 15, 1991, as Instrument No. 9102501, records of Ada County, Idaho, being situated in the Southeast 1/4 of the Southeast 1/4 of Section 30, Township 4 North, Range 1 East, Boise Meridian, Ada County, City of Meridian, Idaho, described as follows:

Commencing at the southeast corner of said Section 30, from which the South 1/4 corner of said Section bears North 89°46'27" West, 2,632.50 feet; thence along the south line of said Section North 89°46'27" West, 229.92 feet; thence leaving said south line North 00°25'24" East, 30.00 feet, more or less, to the southeast corner of said Lot 14; thence along the east line of said Lot 14 North 00°25'24" East, 30.00 feet to the POINT OF BEGINNING:

thence leaving said east line North 89°46'27" West, 135.40 feet;

thence 33.96 feet along the arc of a non-tangent curve to the right having a radius of 65.00 feet and a central angle of 29°56'02"; said curve having a long chord which bears North 74°48'53" West, a chord distance of 33.57 feet;

thence 28.75 feet along the arc of a reverse curve to the left having a radius of 55.00 feet and a central angle of 29°57'09"; said curve having a long chord which bears North 74°49'26" West, a chord distance of 28.43 feet, more or less, to the easterly boundary line of Tustin Subdivision No. 2, according to the plat thereof filed in Book 108 of Plats at pages 15190-15192, as Instrument No. 2015-040515, records of Ada County, Idaho;

thence along said east line North 00°25'24" East, 12.00 feet;

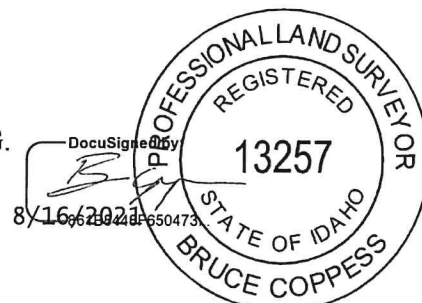
thence leaving said east line 34.98 feet along the arc of a non-tangent curve to the right having a radius of 67.00 feet and a central angle of 29°54'45"; said curve having a long chord which bears South 74°48'14" East, a chord distance of 34.58 feet;

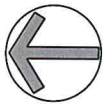
thence 27.69 feet along the arc of a reverse curve to the left having a radius of 53.00 feet and a central angle of 29°56'02"; said curve having a long chord which bears South 74°48'53" East, a chord distance of 27.38 feet;

thence South 89°46'27" East, 135.45 feet, more or less,
to the east line of said Lot 14;

thence South 00°25'24" West, 12.00 feet to the POINT OF BEGINNING.

Containing 2,377 square feet or (0.055 acres), more or less.



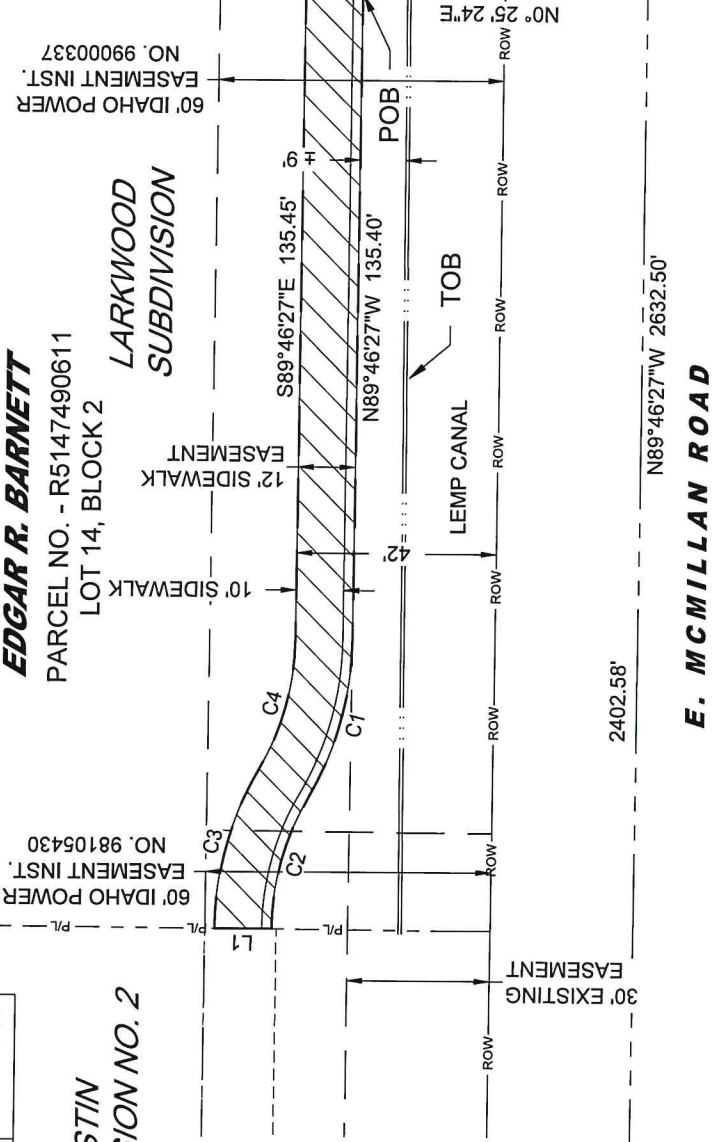


SCALE: 1"=40'

LINE TABLE	
LINE #	LENGTH
L1	12.00
L2	12.00

TUSTIN
SUBDIVISION NO. 2

CURVE TABLE				
CURVE #	LENGTH	RADIUS	DELTA	CHORD BEARING
C1	33.96	65.00	29°56'02"	N74°48'53"W
C2	28.75	55.00	29°57'09"	N74°49'26"W
C3	34.98	67.00	29°54'45"	S74°48'14"E
C4	27.69	53.00	29°56'02"	S74°48'53"E



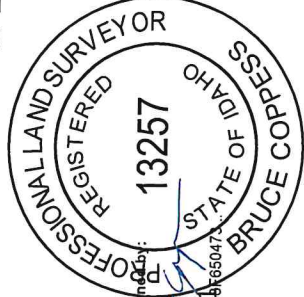
LEGEND

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- TOB TOP OF BANK



EASEMENT ACQUISITION AREA 2,377 SQ. FT.

EXHIBIT 'B'
EDGAR R. BARNETT - PATHWAY EASEMENT
Located in the SE 1/4 of the SE 1/4, Section 30, Township 4 North, Range 1 East,
B.M. Ada Conty, City of Meridian, State of Idaho,



DocuSign by: [Signature]
8/16/2024 10:06:04 AM

City of Meridian
33 East Broadway Ave., Meridian, ID 83642

PERMANENT EASEMENT CONTRACT

Project Description: Lemp Pathway Easement- Barnett Rentals LLC
Parcel # and Owner: R5147490701 Barnett Rentals LLC
Date of Offer: 24 August 2021

THIS RIGHT-OF-WAY CONTRACT, made this 25th day of August 2021, between the City of Meridian, acting by its Mayor and Council, herein called "CITY" and Barnett Rentals LLC, herein called "GRANTOR".

WHEREAS, subject to the terms outlined below, GRANTOR agrees to deliver to the CITY a Permanent Public Easement, to allow for construction of a 10' wide paved pathway segment, included herewith as Exhibit "A."

NOW THEREFORE, the parties hereto agree as follows:

1. CITY shall pay GRANTOR such sums of money and/or benefits as are set out below:

ITEM DESCRIPTION	AREA (Ft ²)	GROSS VALUE (\$/Ft ²)	VALUATION FACTOR	EASEMENT VALUE (\$)
Permanent Easement	1,754	\$7.65	79%	\$ 10,600.30

In consideration of the GRANTOR'S agreement to utilize a valuation of \$7.65 per square foot of the property, based on current assessed value of \$460,300 or \$333,068.20 per acre.

2. TOTAL EASEMENT CASH SETTLEMENT AMOUNT \$ 10,600.30

3. This Contract shall not be binding unless and until executed by the Mayor and/or their authorized representatives. The parties have herein set out the whole of their agreement, the performance of which constitutes the entire consideration for the granting of said easement and shall relieve the CITY of all further claims or obligations on that account or on account of the location, grade, construction and maintenance of the proposed easement improvements.
4. The parties whose names appear below as Grantors, covenant and warrant that they are the OWNERS of the property to which this document applies, are fully authorized to execute this document and forever bind themselves, their successors and assigns and the subject property to the terms set forth herein.

IN WITNESS WHEREOF, the parties have executed this contract the day and year first above written.

CITY OF MERIDIAN

By: _____
Robert E. Simison, Mayor

ATTEST: _____
Chris Johnson, City Clerk

Date approved by Council: _____

GRANTOR

By: Sharlot Barnett
Sharlot Barnett, Manager

Date: 8/25/21



601 Sherman Ave, Suite 1
Coeur d'Alene, ID 83814

(208) 758-8601

**EXHIBIT A
LEGAL DESCRIPTION
of
SIDEWALK EASEMENT
BARNETT RENTALS LLC
TO
CITY OF MERIDIAN**

That portion of Lot 15, Block 2 of Larkwood Subdivision, according to the plat thereof, filed in Book 58 of Plats at paged 5494 and 5495, and Amended by an Affidavit recorded January 15, 1991, as Instrument No. 9102501, records of Ada County, Idaho, being situated in the Southeast 1/4 of the Southeast 1/4 of Section 30, Township 4 North, Range 1 East, Boise Meridian, Ada County, City of Meridian, Idaho, described as follows:

Commencing at the southeast corner of said Section 30, from which the South 1/4 corner of said Section bears North 89°46'27" West, 2.632.50 feet; thence along the south line of said Section North 89°46'27" West, 229.92 feet; thence leaving said south line North 00°25'24" East, 30.00 feet, more or less, to the southwest corner of said Lot 15; thence continuing along said west line North 00°25'24" East, 30.00 feet to the POINT OF BEGINNING:

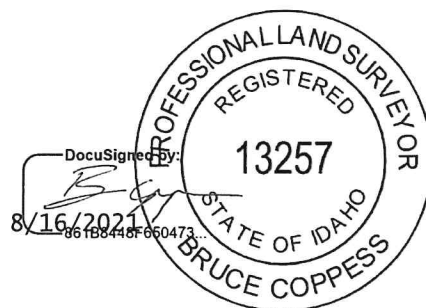
thence continuing along said west line North 00°25'24" East, 12.00 feet;

thence leaving said west line South 89°46'27" East, 146.17 feet, more or less, to a point on the west line of Quitclaim Deed recorded August 2, 2018, Instrument No. 2018-072917, records of Ada County, Idaho;

thence along said west line South 00°13'33" West, 12.00 feet;

thence leaving said west line North 89°46'27" West, 146.21 feet to the POINT OF BEGINNING.

Containing 1,754 square feet or (0.040 acres), more or less.



CITY OF MERIDIAN - SIDEWALK EASEMENT



DocuSigned by:

8/16/2021 864984487650473

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	12.00	N0° 25' 24"E
L2	12.00	S0° 13' 33"W

BARNETT RENTALS LLC

PARCEL: R5147490701
LOT 15, BLOCK 2

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
TOB	TOP OF BANK

EASEMENT ACQUISITION AREA 1,754 SQ. FT.

