

Project Name (Subdivision):
MILLBRAE SUBDIVISION /PATHWAY EASEMENT NO 1

PEDESTRIAN PATHWAY EASEMENT

THIS AGREEMENT, made this 6th day of July, 2021, between CHALLENGER DEVELOPMENT INC, 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.

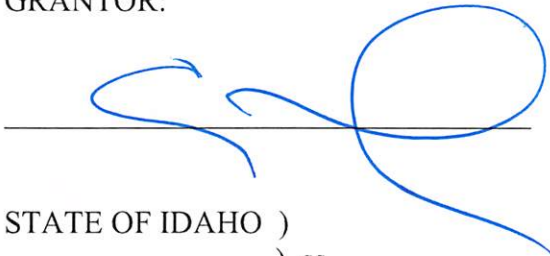
THE GRANTOR hereby covenants and agrees with the Grantee that should any part of the easement hereby granted become part of, or lie within the boundaries of any public street,

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.

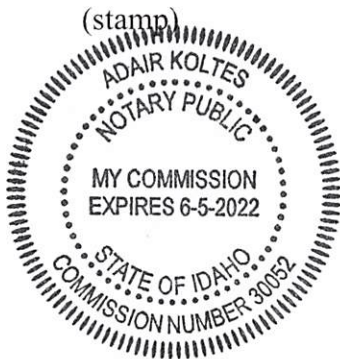
IN WITNESS WHEREOF, the said Grantor has hereunto subscribed its signature the day and year first hereinabove written.

GRANTOR:



STATE OF IDAHO)
) ss
County of Ada)

This record was acknowledged before me on June 11, 2021 (date) by Carey Barton (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 Challenger Development Inc. (name of entity on behalf of whom record was executed), in the following representative capacity: President (type of authority such as officer or trustee)



Adair
Notary Signature
My Commission Expires: 6-05-22

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor 7-6-2021

Attest by Chris Johnson, City Clerk 7-6-2021

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

This record was acknowledged before me on 7-6-2021 (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

EXHIBIT __

DESCRIPTION FOR

**CITY OF MERIDIAN PATHWAY EASEMENT
MILLBRAE SUBDIVISION**

A portion of the SE 1/4 of the SE 1/4 of Section 4, T.3N., R.1W., B.M., City of Meridian, Ada County, Idaho more particularly described as follows:

EASEMENT A1:

Commencing at the SE corner of said Section 4 from which the S1/4 corner of said Section 4 bears North 89°17'17" West, 2,650.06 feet;

thence along the South boundary line of said Section 4 North 89°17'17" West, 62.00 feet;

thence leaving said South boundary line North 00°37'45" East, 78.17 feet to a point on the North right-of-way line of W. Cherry Lane, said point also being the **REAL POINT OF BEGINNING**;

thence continuing North 00°37'45" East, 411.95 feet;

thence South 44°24'17" East, 19.79 feet to a point on the West right-of-way line of N. Black Cat Rd;

thence along said West right-of-way line South 00°37'45" West, 385.05 feet to a point on the North right-of-way line of W. Cherry Lane;

thence along said North right-of-way line and 19.12 feet along the arc of a non-tangent curve to the right, said curve having a radius of 66.00 feet, a central angle of 16°35'46" and a long chord which bears South 47°55'38" West, 19.05 feet to the **REAL POINT OF BEGINNING**.

EASEMENT A2:

Commencing at the SE corner of said Section 4 from which the S1/4 corner of said Section 4 bears North 89°17'17" West, 2,650.06 feet;

thence along the South boundary line of said Section 4 North 89°17'17" West, 656.83 feet;

thence leaving said South boundary line North 00°37'45" East, 48.00 feet to a point on the North right-of-way line of W. Cherry Lane, said point also being the **REAL POINT OF BEGINNING**;

thence continuing North 00°37'45" East, 14.00 feet;

EXHIBIT A
DESCRIPTION FOR
CITY OF MERIDIAN PATHWAY EASEMENT
MILLBRAE SUBDIVISION

A portion of the SE 1/4 of the SE 1/4 of Section 4, T.3N., R.1W., B.M., City of Meridian, Ada County, Idaho more particularly described as follows:

EASEMENT A1:

Commencing at the SE corner of said Section 4 from which the S1/4 corner of said Section 4 bears North 89°17'17" West, 2,650.06 feet;

thence along the South boundary line of said Section 4 North 89°17'17" West, 62.00 feet;

thence leaving said South boundary line North 00°37'45" East, 78.17 feet to a point on the North right-of-way line of W. Cherry Lane, said point also being the **REAL POINT OF BEGINNING**;

thence continuing North 00°37'45" East, 411.95 feet;

thence South 44°24'17" East, 19.79 feet to a point on the West right-of-way line of N. Black Cat Rd;

thence along said West right-of-way line South 00°37'45" West, 385.05 feet to a point on the North right-of-way line of W. Cherry Lane;

thence along said North right-of-way line and 19.12 feet along the arc of a non-tangent curve to the right, said curve having a radius of 66.00 feet, a central angle of 16°35'46" and a long chord which bears South 47°55'38" West, 19.05 feet to the **REAL POINT OF BEGINNING**.

EASEMENT A2:

Commencing at the SE corner of said Section 4 from which the S1/4 corner of said Section 4 bears North 89°17'17" West, 2,650.06 feet;

thence along the South boundary line of said Section 4 North 89°17'17" West, 656.83 feet;

thence leaving said South boundary line North 00°37'45" East, 48.00 feet to a point on the North right-of-way line of W. Cherry Lane, said point also being the **REAL POINT OF BEGINNING**;

thence continuing North 00°37'45" East, 14.00 feet;

thence South 89°17'17" East, 546.34 feet to a point on the North right-of-way line of W. Cherry Lane;

thence along said North right-of-way line for the following 2 courses and distances:

thence 129.33 feet along the arc of a non-tangent curve to the right, said curve having a radius of 595.00 feet, a central angle of 12°27'13" and a long chord which bears South 84°29'07" West, 129.07 feet;

thence North 89°17'17" West, 418.01 feet to the **REAL POINT OF BEGINNING**.

EASEMENT A3:

Commencing at the SE corner of said Section 4 from which the S1/4 corner of said Section 4 bears North 89°17'17" West, 2,650.06 feet;

thence along the East boundary line of said Section 4 North 00°37'45" East, 653.28 feet;

thence leaving said East boundary line North 89°26'20" West, 48.00 feet to a point on the West right-of-way line of N. Black Cat Rd., point also being the **REAL POINT OF BEGINNING**;

thence along said West right-of-way line South 00°37'45" West, 90.00 feet;

thence leaving said West right-of-way line South 45°35'43" West, 19.81 feet;

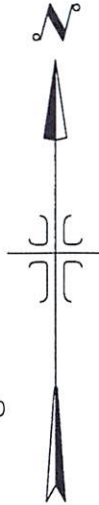
thence North 00°37'45" East, 104.00 feet;

thence South 89°26'20" East, 14.00 feet to the **REAL POINT OF BEGINNING**.

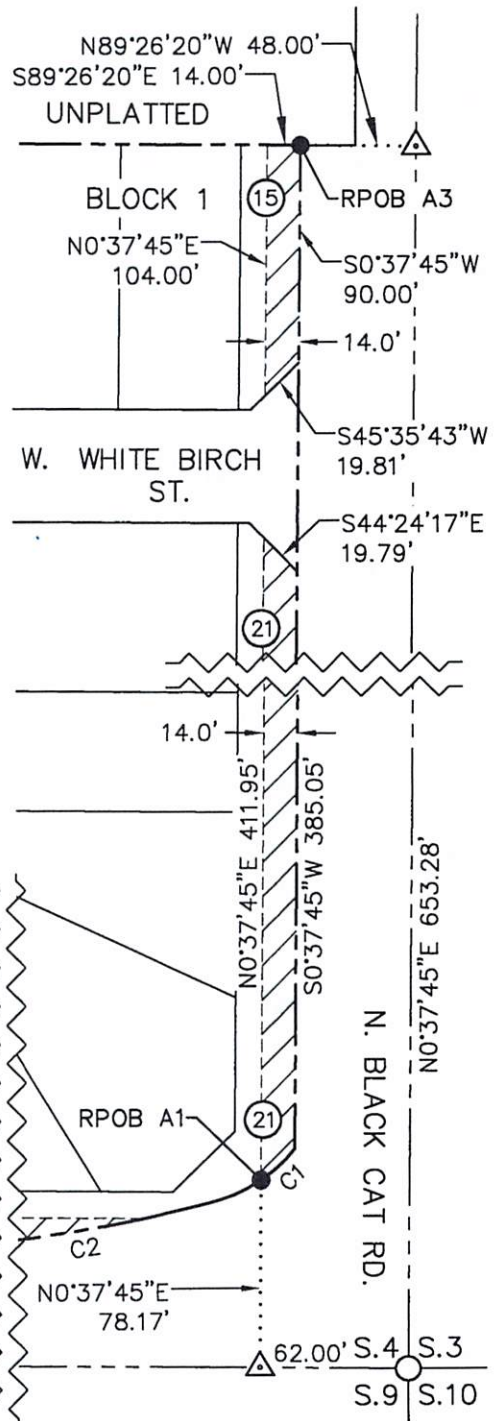


EXHIBIT B

CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BRG.	DELTA
C1	66.00	19.12	19.05	S47°55'38"W	16°35'46"
C2	595.00	129.33	129.07	S84°29'07"W	12°27'13"



SCALE: 1" = 80'



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IDAHO SURVEY GROUP, LLC

9955 W. EMERALD ST.
BOISE, IDAHO 83704
(208) 846-8570

EXHIBIT B DRAWING FOR
CITY OF MERIDIAN PATHWAY EASEMENT
MILLBRAE SUBDIVISION

LOCATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 4, T.3N., R.1W., BOISE MERIDIAN,
CITY OF MERIDIAN, ADA COUNTY, IDAHO

JOB NO.
19-095

SHEET NO.
1

DWG. DATE
6/9/2021