

Project Name (Subdivision):

Edington Commons No. 1. SawtoothMS connection to Linder Rd

PEDESTRIAN PATHWAY EASEMENT

This Agreement (this “**Agreement**”) is made this 20th day of July, 2021, between Joint School District No. 2, doing business as West Ada School District, an Idaho School District and body corporate and politic of the State of Idaho (“**WASD**”), the City of Meridian, an Idaho municipal corporation (“**City**”), G20 LLC, an Idaho limited liability company (“**G20**”), and Edington Commons Homeowners’ Association, Inc., an Idaho nonprofit corporation (“**Edington**”). WASD, City, G20, and Edington are sometimes collectively referred to herein as the “**Parties**”, or individually as a “**Party**”, as the case may be.

WITNESSETH:

WHEREAS, WASD is the owner of real property located in Meridian, Ada County, Idaho, on portions of which the City desires to establish a public pathway (the “**Pathway**”) on property described on Exhibit “A” and depicted on Exhibit “B” (the “**Pathway Property**”); AND

WHEREAS, WASD desires to grant an easement to establish the Pathway and provide connectivity on the Pathway Property; AND

WHEREAS, G20 shall construct the Pathway upon the Pathway Property described herein and Edington shall provide for ongoing maintenance of the same.

NOW, THEREFORE, the Parties agree as follows:

WASD does hereby grant unto City an easement on the Pathway Property (the “**Pathway Easement**”).

THE PATHWAY 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 Pathway Easement unto City, its successors and assigns forever.

WASD and Edington hereby covenant and agree that they will not place or allow to be placed any permanent structures, trees, brush, or perennial shrubs or flowers within the Pathway Easement, which would interfere with the use of the Pathway Easement, for the purposes stated herein.

IT IS EXPRESSLY UNDERSTOOD AND AGREED, by and between the Parties hereto, that G20 shall construct the Pathway described herein with the confines of the Pathway Easement in accordance with the requirements of City Case no. H-2019-0109, and that Edington shall thereafter repair and maintain the Pathway. During construction of the Pathway, G20 will install a fence along the north side of the Pathway connected to the existing fence and extending to Linder Road. G20 will also re-route sprinklers (if needed), repair any damage to sprinklers, and restore the landscape to existing conditions.

WASD hereby covenants and agrees with City that should any part of the Pathway Easement 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.

WASD does hereby covenant with City 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 Pathway 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 Parties have hereunto subscribed their signatures the day and year first hereinabove written.

[end of text; signatures to follow]

WASD:

WEST ADA SCHOOL DISTRICT,
a political subdivision of the State of Idaho

By: Mary Ann Ranells
Name: MARY ANN RANELLS
Its: SUPERINTENDENT

STATE OF IDAHO)
)ss.
County of Ada)

This record was acknowledged before me on May 26, 2021, by Mary Ann Ranells, as Superintendent of West Ada School District.



Cheri R. Newbold
Notary Public for Idaho
Residing at West Ada School District
My commission expires 2-11-22

LB

CITY:

CITY OF MERIDIAN,
an Idaho municipal corporation

Robert E. Simison, Mayor 7-20-2021

Attest by Chris Johnson, City Clerk 7-20-2021

STATE OF IDAHO)
)ss.
County of Ada)

This record was acknowledged before me on July 20th, 2021, by Robert E. Simison and Chris Johnson on behalf of the City of Meridian, in their capacities as Mayor and City Clerk, respectively.

Notary Public for Idaho
Residing at Meridian, Idaho
My commission expires 3-28-2022

LB

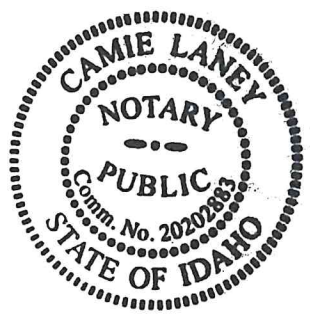
G20: [Signature]
G20 LLC, an Idaho limited liability company

By: [Signature]
Name: Jim Conger
Its: member & authorized agent

STATE OF IDAHO)
)ss.
County of Ada)

This record was acknowledged before me on May 14, 2021, by Jim Conger, as Authorized Agent of G20 LLC.

Camie Laney
Notary Public for Idaho
Residing at Bow
My commission expires 8-3-2026



LB

EDINGTON:

EDINGTON COMMONS HOMEOWNERS'
ASSOCIATION, INC.,
an Idaho nonprofit corporation

By: [Signature]
Name: Jim Conger
Its: Member

STATE OF IDAHO)
)ss.
County of Ada)

This record was acknowledged before me on May 14, 2021, by
Jim Conger, as Member of Edington Commons Homeowners'
Association, Inc.

[Signature: Camie Laney]
Notary Public for Idaho
Residing at Bow
My commission expires 8-3-2026



LB

EXHIBIT A
Legal Description of Pathway Easement



Sawtooth Land Surveying, LLC

2030 S. Washington Ave. Emmett, ID 83617 P: (208) 398-8104 F: (208) 398-8105	1044 Northwest Blvd., Ste. G Coeur d'Alene, ID 83814 P: (208) 714-4544 F: (208) 292-4453	141 1 st Avenue East Jerome, ID 83338 P: (208) 329-5303 F: (208) 324-3821
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Off-Site City of Meridian Pathway Legal Description

A 14-foot wide easement located in the NW1/4 SW1/4 of Section 36, Township 4 North, Range 1 West of the Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at the S1/16 corner common to Sections 35 and 36, from which the southwest corner of said Section 36, bears South 00°14'51" West, 1318.78 feet distant;

Thence South 88°56'15" East, coincident with the south line of the SW1/4 SW1/4 of said Section 36, a distance of 48.00 feet to the easterly right of way line of N. Linder Road, marked by a 5/8 inch rebar/cap PLS 5291;

Thence North 00°14'51" East, coincident with said easterly right of way line, 52.88 feet to the **POINT OF BEGINNING**;

Thence continuing North 00°14'51" East, coincident with said easterly right of way line, 14.41 feet to the beginning of a non-tangent curve to the right;

Thence easterly, 34.17 feet along the arc of said curve to the right, having a radius of 52.00 feet, with a central angle of 37°38'42", subtended by a chord bearing South 82°34'34" East, 33.55 feet;

Thence South 63°45'13" East, 74.80 feet to the beginning of a tangent curve to the left;

Thence southeasterly, 20.43 feet along the arc of said curve to the right, having a radius of 188.00 feet, with a central angle of 06°13'38", subtended by a chord bearing South 66°52'02" East, 20.42 feet;

Thence South 69°58'51" East, 74.06 feet to said south line;

Thence North 88°56'15" West, coincident with said south line, 43.10 feet;

Thence North 69°58'51" West, 33.30 feet to the beginning of a tangent curve to the right;

Thence northwesterly, 21.95 feet along the arc of said curve to the right, having a radius of 202.00 feet, with a central angle of 06°13'38", subtended by a chord bearing North 66°52'02" West, 21.94 feet;

Thence North 63°45'13" West, 74.80 feet to the beginning of a tangent curve to the left;

LB

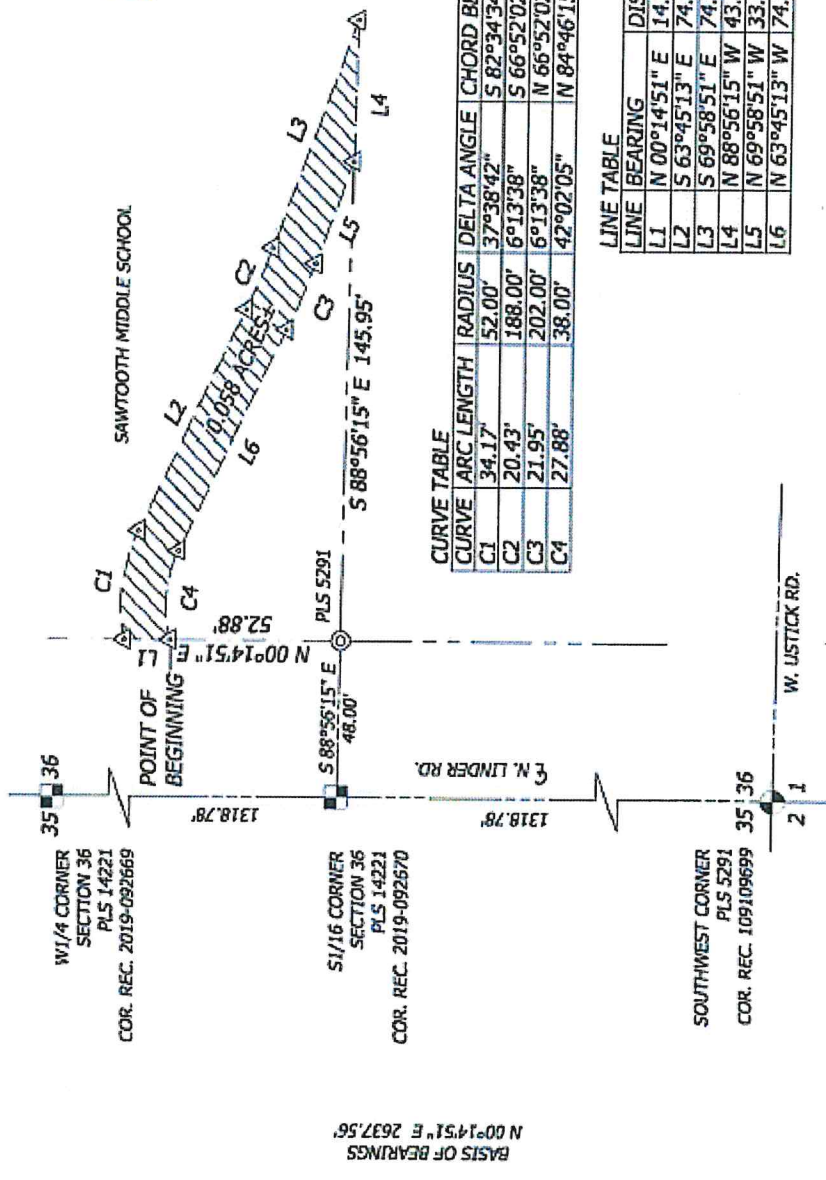
Thence westerly, 27.88 feet along the arc of said curve to the left, having a radius of 38.00 feet, with a central angle of 42°02'05", subtended by a chord bearing North 84°46'15" West, 27.26 feet to the **POINT OF BEGINNING.**

The above described easement contains 2,530 square feet or 0.058 acres, more or less.

BASIS OF BEARING for this description is North 00°14'51" West, between the southwest corner of Section 36 and the W1/4 corner common to Sections 35 and 36, Township 4 North, Range 1 West of the Boise Meridian.



EXHIBIT B Depiction of Pathway Easement

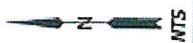


CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	34.17'	52.00'	37°38'42"	S 82°34'34" E	33.55'
C2	20.43'	188.00'	6°13'38"	S 66°52'02" E	20.42'
C3	21.95'	202.00'	6°13'38"	N 66°52'02" W	21.94'
C4	27.88'	38.00'	42°02'05"	N 84°46'15" W	27.26'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°14'51" E	14.41'
L2	S 63°45'13" E	74.80'
L3	S 69°58'51" E	74.06'
L4	N 88°56'15" W	43.10'
L5	N 69°58'51" W	33.30'
L6	N 63°45'13" W	74.80'



<p>PROJECT: OFF-SITE CITY OF MERIDIAN REGIONAL PATHWAY EASEMENT MERIDIAN, IDAHO</p>	<p>OWNER/DEVELOPER: CONGER GROUP</p> <p>DATE: 8/2020</p>	<p>DWG # 19292-EX</p> <p>PROJECT # 19292</p> <p>SHEET 1 OF 1</p> <p style="text-align: center;"> SAWTOOTH Land Surveying, LLC</p> <p>2030 S. WASHINGTON AVE. EMMETT, ID 83617 P: (208) 398-8104 F: (208) 398-8105</p> <p style="text-align: right;">WWW.SAWTOOTHLS.COM</p>
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