

Project Name (Subdivision):

Edgehill Subdivision No. 2

### **PEDESTRIAN PATHWAY EASEMENT**

THIS AGREEMENT, made this \_\_\_\_ day of \_\_\_\_, 20\_\_, 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: Challenger Development, Inc.

Corey Barton / Manager

STATE OF IDAHO )  
 ) ss  
County of Ada )

This record was acknowledged before me on Aug. 10, 2020 (date) by Corey 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)



Notary Signature \_\_\_\_\_  
My Commission Expires: 6-05-22

GRANTEE: CITY OF MERIDIAN

\_\_\_\_\_  
Robert E. Simison, Mayor

\_\_\_\_\_  
Attest by Chris Johnson, City Clerk

STATE OF IDAHO, )

: ss.

County of Ada )

This record was acknowledged before me on \_\_\_\_\_ (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: \_\_\_\_\_

## Exhibit "A"

### Edgehill Subdivision

### Pathway Easement

*Project No. 10-19-017 May 19, 2020*

A tract of land situate in the northwest quarter of the northwest quarter of Section 25, Township 3 North, Range 1 West, Boise Meridian, lying in the City of Meridian, County of Ada, State of Idaho, and being more particularly described as follows:

Commencing at the northwest corner of said Section 25; thence South 00°37'16" West, coincident with the west line of said Section 25, a distance of 1,325.76 feet to a 2-inch aluminum cap stamped "PLS 17665" marking the north sixteenth corner common to said Section 25 and Section 26, Township 3 North, Range 1 West, Boise Meridian;

thence leaving said west line, coincident with the south line of the northwest quarter of the northwest quarter of said Section 25, the following two (2) consecutive courses and distances:

1. South 89°23'22" East, a distance of 48.00 feet to a 5/8-inch rebar with a plastic cap stamped "PLS 17665" marking the most southerly southeast corner of the tract of land described in the warranty deed to Ada County Highway District recorded as Instrument No. 2020-014484, Official Records of Ada County, hereinafter referred to as the ACHD Tract, and
2. continuing South 89°23'22" East, a distance of 157.99 feet to the **Point of Beginning** of this description;

thence from said **Point of Beginning**, leaving said south line, the following six (6) consecutive courses and distances:

1. North 56°31'51" West, a distance of 1.17 feet,
2. along the arc of a tangent curve to the left, concave southerly, having a radius of 31.00 feet, through a central angle of 31°54'39", an arc length of 17.27 feet, and a chord bearing North 72°29'10" West, a distance of 17.04 feet,
3. North 88°26'30" West, a distance of 48.63 feet,
4. along the arc of a tangent curve to the right, concave northerly, having a radius of 73.00 feet, through a central angle of 33°07'48", an arc length of 42.21 feet, and a chord bearing North 71°52'35" West, a distance of 41.63 feet,
5. along the arc of a reverse curve to the left, concave southerly, having a radius of 67.00 feet, through a central angle of 34°04'03", an arc length of 39.84 feet, and a chord bearing North 72°20'43" West, a distance of 39.25 feet, and
6. North 89°22'44" West, a distance of 14.85 feet to a point on the easterly line of said ACHD Tract;

thence North 00°37'16" East, coincident with said easterly line, a distance of 14.00 feet; thence leaving said easterly line, the following six (6) consecutive courses and distances:

1. South 89°22'44" East, a distance of 14.85 feet,
2. along the arc of a tangent curve to the right, concave southerly, having a radius of 81.00 feet, through a central angle of 34°04'03", an arc length of 48.16 feet, and a chord bearing South 72°20'43" East, a distance of 47.46 feet,
3. along the arc of a reverse curve to the left, concave northerly, having a radius of 59.00 feet, through a central angle of 33°07'48", an arc length of 34.12 feet, and a chord bearing South 71°52'35" East, a distance of 33.64 feet,
4. South 88°26'30" East, a distance of 48.63 feet,
5. along the arc of a tangent curve to the right, concave southerly, having a radius of 45.00 feet, through a central angle of 31°54'39", an arc length of 25.06 feet and a chord bearing South 72°29'10" East, a distance of 24.74 feet, and
6. South 56°31'51" East, a distance of 22.84 feet to a point on the south line of the northwest quarter of the northwest quarter of said Section 25;

thence North 89°23'22" West, coincident with said south line, a distance of 25.80 feet to the **Point of Beginning**.

Containing an area of 2,503 square feet of land, more or less.

The above-described tract of land is shown on Exhibit "B", attached hereto and made a part hereof.

End of Description.

**J-U-B ENGINEERS, Inc.**

This description was prepared by me or under my supervision. If any portion of this description is modified or removed without the written consent of Timothy Harrigan, PLS, all professional liability associated with this document is hereby declared null and void.



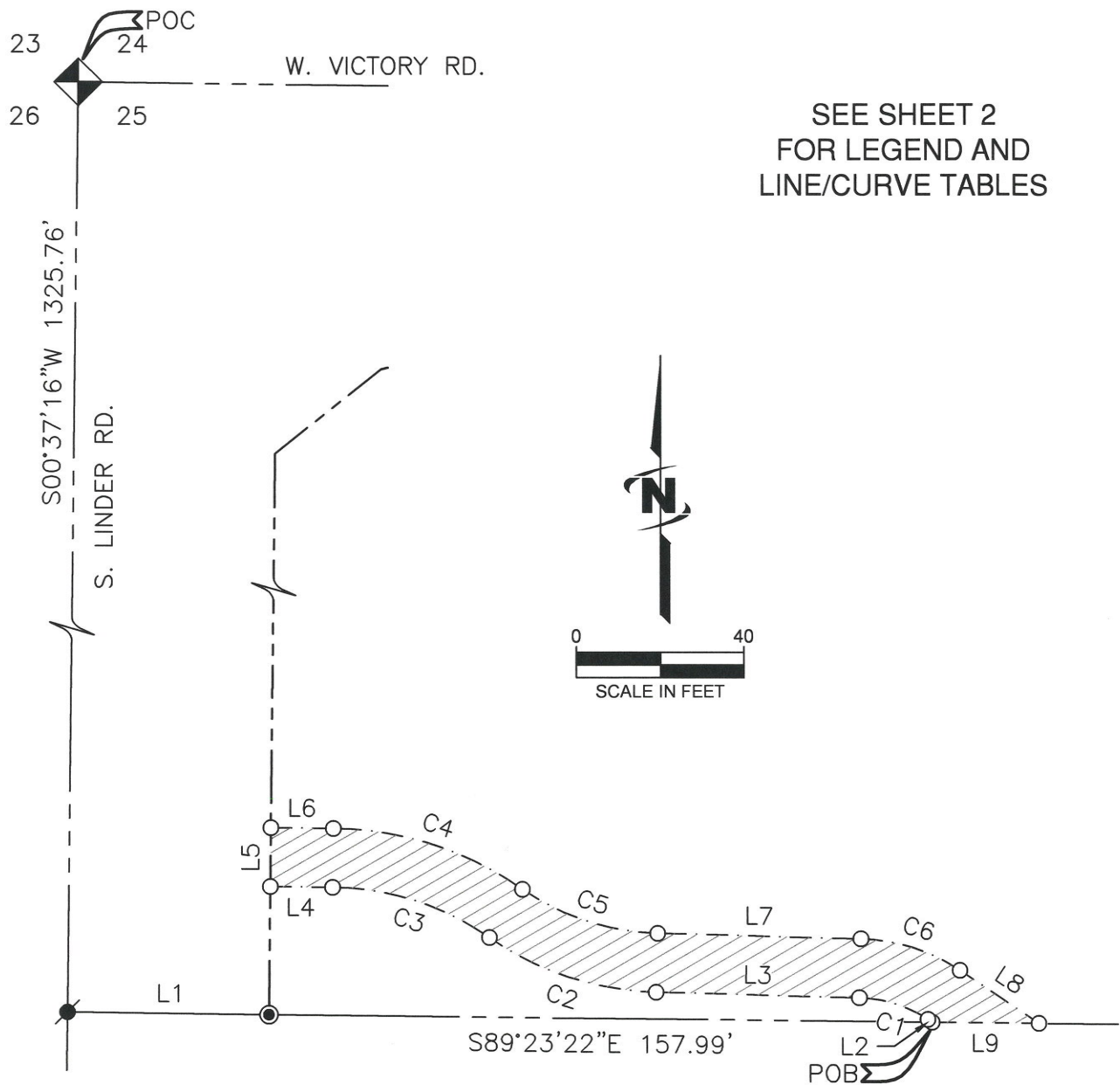
Timothy Harrigan, PLS 17665

5/19/2020

Date



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*Timothy Harrigan*  
5/19/2020

EXHIBIT "B"







EDGEHILL SUBDIVISION NO. 2  
PEDESTRIAN PATHWAY

A PORTION OF THE NW 1/4 OF THE NW 1/4 OF SEC. 25, T3N, R1W, BM  
CITY OF MERIDIAN, COUNTY OF ADA, STATE OF IDAHO

SHEET  
1 OF 2

# LEGEND

- — — — — SECTION LINE
- - - - - ADJOINER PROPERTY LINE
-  - PEDESTRIAN PATH EASEMENT  
AREA: 2,503± SQ. FEET OF LAND
-  - SECTION CORNER
-  - QUARTER CORNER
-  - FOUND 5/8-INCH REBAR
- - DIMENSION POINT
- POC - POINT OF COMMENCEMENT
- POB - POINT OF BEGINNING

LINE TABLE — THIS SHEET ONLY		
NO.	BEARING	DIST.
L1	S89°23'22"E	48.00'
L2	N56°31'51"W	1.17'
L3	N88°26'30"W	48.63'
L4	N89°22'44"W	14.85'
L5	N00°37'16"E	14.00'
L6	S89°22'44"E	14.85'
L7	S88°26'30"E	48.63'
L8	S56°31'51"E	22.84'
L9	N89°23'22"W	25.80'

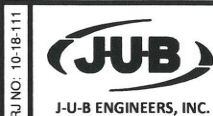
CURVE TABLE					
NO.	RADIUS	DELTA	LENGTH	CH. BEARING	CH. DIST.
C1	31.00'	31°54'39"	17.27'	N72°29'10"W	17.04'
C2	73.00'	33°07'48"	42.21'	N71°52'35"W	41.63'
C3	67.00'	34°04'03"	39.84'	N72°20'43"W	39.25'
C4	81.00'	34°04'03"	48.16'	S72°20'43"E	47.46'
C5	59.00'	33°07'48"	34.12'	S71°52'35"E	33.64'
C6	45.00'	31°54'39"	25.06'	S72°29'10"E	24.74'



*Timothy Harrigan*  
5/19/2020

EXHIBIT "B"

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EDGEHILL SUBDIVISION NO. 2  
PEDESTRIAN PATHWAY  
A PORTION OF THE NW 1/4 OF THE NW 1/4 OF SEC. 25, T3N, R1W, BM  
CITY OF MERIDIAN, COUNTY OF ADA, STATE OF IDAHO

SHEET  
2 OF 2