

ESMT-2022-0177 The Reserve Subdivision Soutyh

PEDESTRIAN PATHWAY EASEMENT

THIS AGREEMENT, made this 24th day of May, 2022, between The Reserve HOA hereinafter referred to as "Grantor", and the City of Meridian, an Idaho municipal corporation, hereinafter referred to as "Grantee";

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: The Reserve HOA

STATE OF IDAHO)
) ss
County of Ada)

This record was acknowledged before me on 13th (date) by Zachary Rupp
(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 The Reserve HOA
(name of entity on behalf of whom record was executed), in the following representative
capacity: HOA President (type of authority such as officer or trustee)



Notary Signature _____
My Commission Expires: 01/28/2027

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor 5-24-2022

Attest by Chris Johnson, City Clerk 5-24-2022

STATE OF IDAHO,)

: ss.

County of Ada)

This record was acknowledged before me on 5-24-2022 (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 3-28-2028
My Commission Expires: _____



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

(208) 758-8601

EXHIBIT A
LEGAL DESCRIPTION
of
SIDEWALK EASEMENT
RESERVE OWNERS ASSOCIATION INC.
TO
CITY OF MERIDIAN

That portion of Lot 2, Block 2 of The Reserve Subdivision, according to plat thereof, filed in Book 97 of Plats at pages 12153-12156, as Instrument No. 106197564, records of Ada County, Idaho being situated in the NE 1/4 of Section 30, Township 4 North, Range 1 East, Boise Meridian, Idaho, described as follows:

Commencing at the east 1/4 corner said Section 30, from which the northeast corner of said Section bears North 00°37'33" East, 2,656.62 feet; thence along the east line of said Section North 00°37'33" East 996.25 feet; thence leaving said east line North 89°50'09" West, 35.00 feet, more or less, to the southeast corner of said Lot 2, Block 2; thence continuing along the south line of said Lot 2, Block 2 to North 89°50'09" West 5.00 feet, more or less to the west line of an existing 15 foot Ada County Highway District sidewalk easement, recorded September 21, 2006 as Instrument No. 106151260, records of Ada County, said point being the POINT OF BEGINNING:

thence continuing along the south line of said Lot 2, North 89°50'09" West, 7.78 feet;

thence leaving said south line North 03°18'48" East, 96.44 feet, more or less, to said existing Ada County Highway District sidewalk easement;

thence along the west line of said sidewalk easement South 44°22'23" East, 4.60 feet;

thence continuing along said sidewalk easement South 00°37'33" West, 93.02 feet, more or less, to the POINT OF BEGINNING.

Containing 526 square feet, more or less.

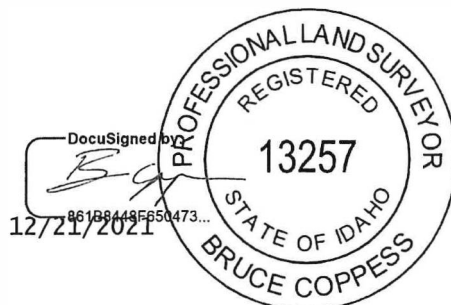




EXHIBIT 'B'

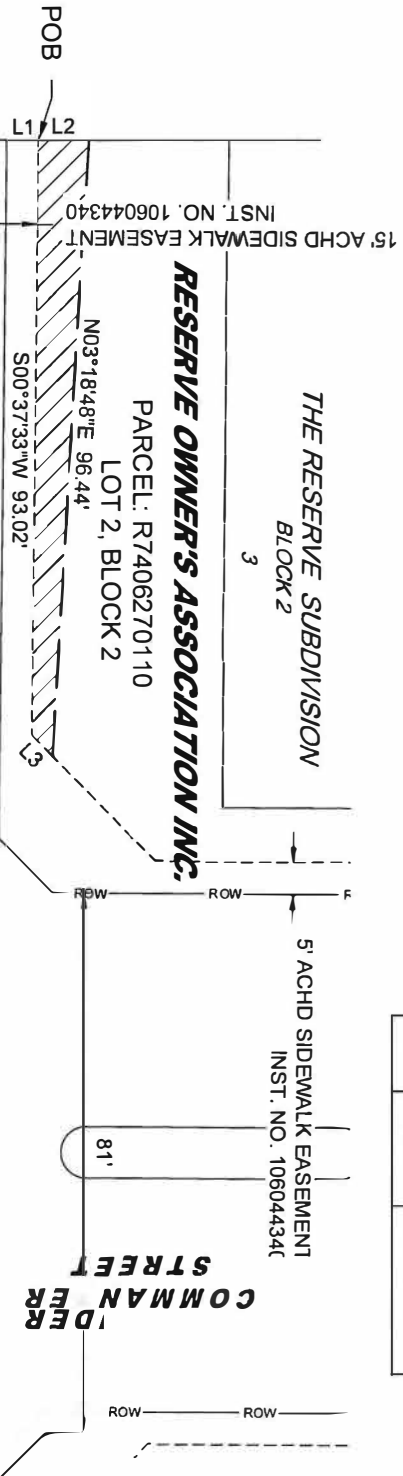
CITY OF MERIDIAN - SIDEWALK EASEMENT

LOCATED IN THE SE 1/4, SECTION 30,
TOWNSHIP 4 NORTH, RANGE 1 EAST,
B.M., ADA COUNTY, CITY OF MERIDIAN, STATE OF IDAHO.

SCALE: 1"=30'



LINE TABLE		
LINE	LENGTH	DIRECTION
L1	5.00	N89° 50' 09"W
L2	7.78	N89° 50' 09"W
L3	4.60	S44° 22' 23"E



LEGEND

- POC POINT OF COMMENCEMENT
- POB POINT OF BEGINNING
- EASEMENT ACQUISITION AREA 526 SQ. FT.

