

PEDESTRIAN PATHWAY EASEMENT

THIS AGREEMENT, made this ___ day of _____, 20___, between Charles + Vickie Richardson

hereinafter referred to as “Grantor”, and the City of Meridian, an Idaho municipal corporation, hereinafter referred to as “Grantee”, and the Teakwood Place Homeowner’s Association, Inc., an Idaho non-profit corporation, hereinafter the “Teakwood Place HOA”;

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, Teakwood Place HOA is the homeowner’s association for the Teakwood Place Subdivision subject to the final plat of Teakwood Place Subdivision which includes Grantor’s property defined below; and

WHEREAS, the Grantor agrees to grant an easement to establish a public pathway and provide connectivity to present and future portions of the pathway; and

WHEREAS, Teakwood Place HOA shall construct the pathway improvements upon the easement described herein only upon Grantor’s property, as described in Exhibit “A”, being redeveloped or subdivided in the future in accord with UDC 11-3A-8 and UDC 11-3B-12, which was a condition of approval for Teakwood Subdivision; 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; such access is limited to and subject to Grantor’s property being redeveloped or subdivided in the future in accord with UDC 11-3A-8 and UDC 11-3B-12, which was a condition of approval for Teakwood Subdivision.

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 Teakwood Place HOA shall repair and maintain the pathway improvements only upon Grantor's property, as described in Exhibit "A", being redeveloped or subdivided in the future in accord with DUC 11-3A-8 and UDC 11-3B-12, which was a condition of approval for Teakwood Subdivision.

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:

GRANT

OR:

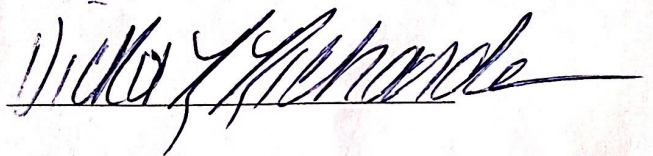


STATE OF IDAHO)

) ss

County of Ada)

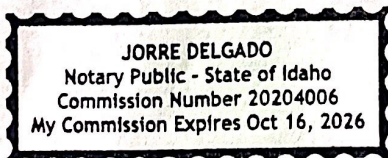
GRANTOR:



On this 7th day of April, year of 2023 before me, the undersigned, a Notary Public in and for said State, personally appeared Charles Richardson and Vickie Richardson, known or identified to me to be the persons whose names are subscribed within and who acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my had and affixed my seal the day and year in this certificate first above written.

(stamp)



Notary Signature

My Commission Expires: 10-16-26

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: _____

TEAKWOOD PLACE HOMEOWNER ASSOCIATION INC.,

BY: REALM VENTURE GROUP, LLC
ITS: INCORPORATOR

Bryan Shepherd

BY: Bryan Shepherd
ITS: Manager

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

On this 7th day of April, year of 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Bryan Shepherd of REALM Venture Group, LLC, known or identified to me to be the persons whose names are subscribed within and who acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my had and affixed my seal the day and year in this certificate first above written.

(stamp)

Jorre Delgado

Notary Signature
My Commission Expires: 10-16-26

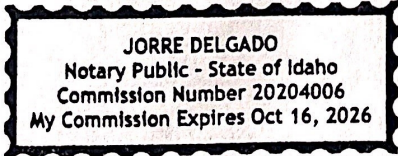


EXHIBIT 'A'

DESCRIPTION FOR PATHWAY EASEMENT TEAKWOOD PLACE SUBDIVISION

A portion of the NW 1/4 of the NW 1/4 of Section 29, T.3N., R.1E., B.M., Ada County, Idaho more particularly described as follows:

Commencing at the NW corner of said Section 29 from which the N1/4 corner of said Section 29 bears North 89°59'41" East, 2,680.68 feet;

thence along the North boundary line of said Section 29 North 89°59'41" East, 908.93 feet;

thence leaving said North boundary line South 04°36'20" East, 35.11 feet to the **REAL POINT OF BEGINNING**;

thence continuing South 04°36'20" East, 60.77 feet;

thence South 39°10'20" East, 133.84 feet;

thence South 00°11'29" East, 15.90 feet;

thence North 39°10'20" West, 149.31 feet;

thence North 04°36'20" West, 64.68 feet;

thence North 89°59'10" East, 10.03 feet to the **REAL POINT OF BEGINNING**.

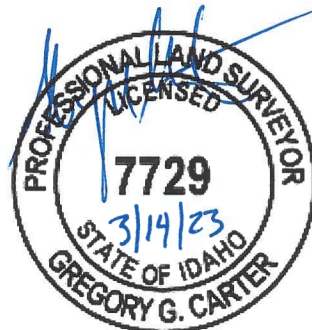
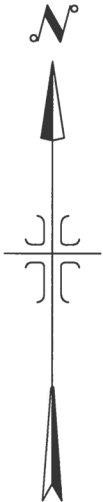
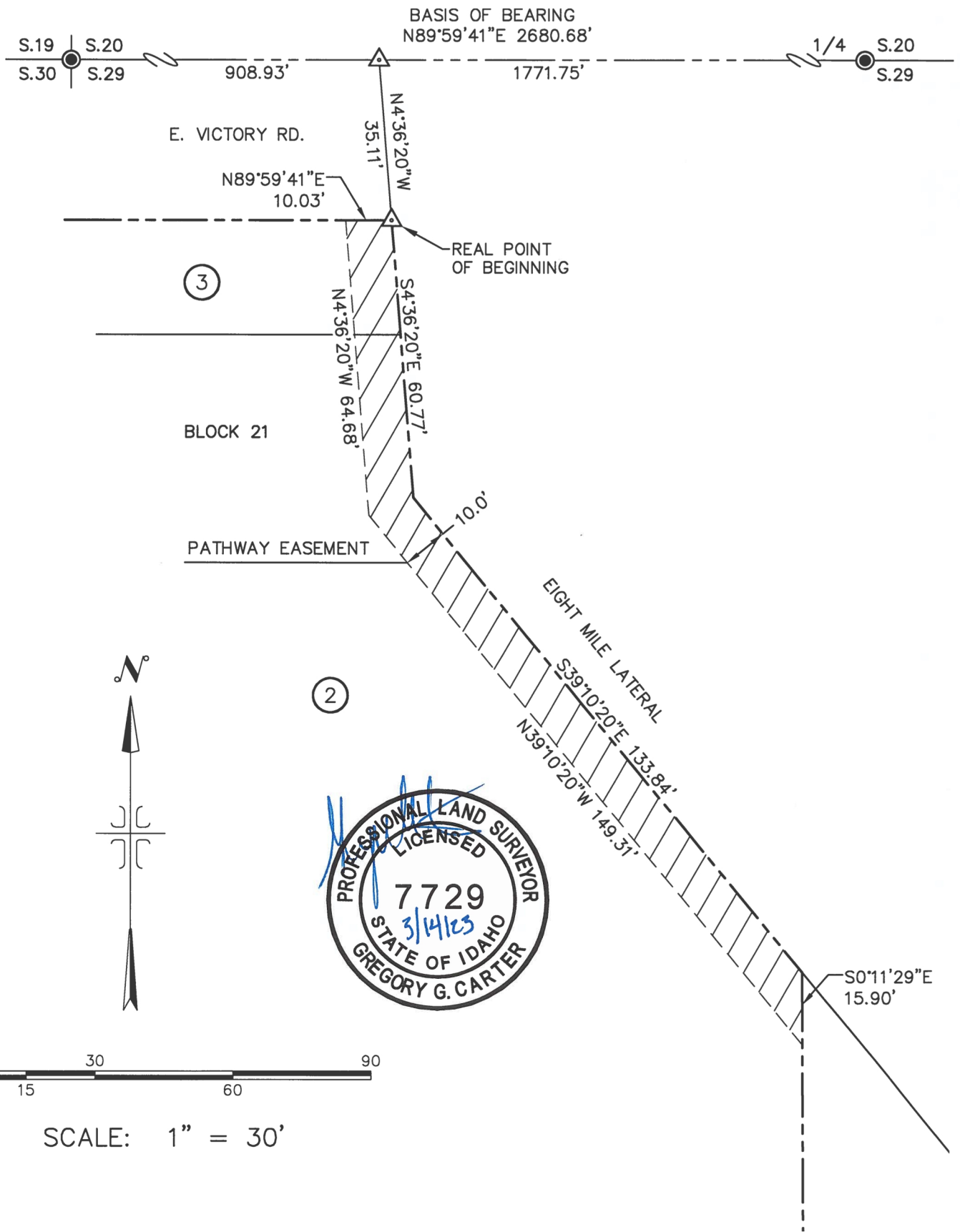


EXHIBIT 'B'



SCALE: 1" = 30'



P:\Teakwood Sub (1835 Victory Topo) 18-324\dmr\Pathway Easement exhibit.dwg 3/14/2023 12:02:56 PM

ISG
IDAHO SURVEY GROUP, LLC
 9955 W. EMERALD ST.
 BOISE, IDAHO 83704
 (208) 846-8570

EXHIBIT DRAWING FOR
 PATHWAY EASEMENT
 TEAKWOOD PLACE SUB.

JOB NO. 19-324
SHEET NO. 1
DWG. DATE 12/5/2020

LOCATED IN THE NW ¼ OF THE NW ¼ OF SECTION 29
 T.3N., R.1E., B.M., ADA COUNTY, IDAHO