

Project Name (Subdivision):

The Oaks North Subdivision No. 13
ESMT-2023-0164

Pedestrian Pathway Easement

THIS AGREEMENT, made this 5th day of December, 2023, between Toll Southwest, LLC., 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,

EXHIBIT A
Legal Description
City of Meridian Public Access Easement
The Oaks North Subdivision No. 13

An easement being located in the SE ¼ of the NE ¼ of Section 28, Township 4 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a Brass Cap monument marking the northeast corner of said Section 28, from which a Brass Cap monument marking the southeast corner of the NE ¼ (E ¼ corner) of said Section 28 bears S 0°29'20" W a distance of 2638.62 feet;

Thence S 0°29'20" W along the east boundary of said NE ¼ a distance of 2209.04 feet to a point;

Thence leaving said boundary N 89°22'02" W a distance of 48.00 feet to the **POINT OF BEGINNING**;

Thence S 0°29'20" W a distance of 1.80 feet to a point;

Thence S 8°16'14" W a distance of 60.98 feet to a point of curvature;

Thence a distance of 13.31 feet along the arc of a 98.00 foot radius curve left, said curve having a central angle of 7°46'54" and a long chord bearing S 4°22'47" W a distance of 13.30 feet to a point of tangency;

Thence S 0°29'20" W a distance of 14.33 feet to point of curvature;

Thence a distance of 13.97 feet along the arc of a 98.00 foot radius curve left, said curve having a central angle of 8°10'12" and a long chord bearing S 3°35'46" E a distance of 13.96 feet to a point of tangency;

Thence S 7°40'51" E a distance of 57.45 feet to a point;

Thence S 0°29'20" W a distance of 54.02 feet to a point;

Thence N 89°21'07" W a distance of 1.43 feet to a point;

Thence N 13°17'19" W a distance of 50.44 feet to a point;

Thence N 7°39'53" W a distance of 60.55 feet to a point of curvature;

Thence a distance of 15.94 feet along the arc of a 112.00 foot radius curve right, said curve having a central angle of 8°09'13" and a long chord bearing N 3°35'17" W a distance of 15.93 feet to a point of tangency;

Thence N 0°29'20" E a distance of 14.33 feet to a point of curvature;

Thence a distance of 15.21 feet along the arc of a 112.00 foot radius curve right, said curve having a central angle of 7°46'54" and a long chord bearing N 4°22'47" E a distance of 15.20 feet to a point of tangency;

Thence N 8°16'14" E a distance of 60.92 feet to a point;

Thence S 89°22'02" E a distance of 13.88 feet to the **POINT OF BEGINNING**.

This easement contains 2,700 square feet (0.062 acres) more or less and is subject to any other easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
October 30, 2023

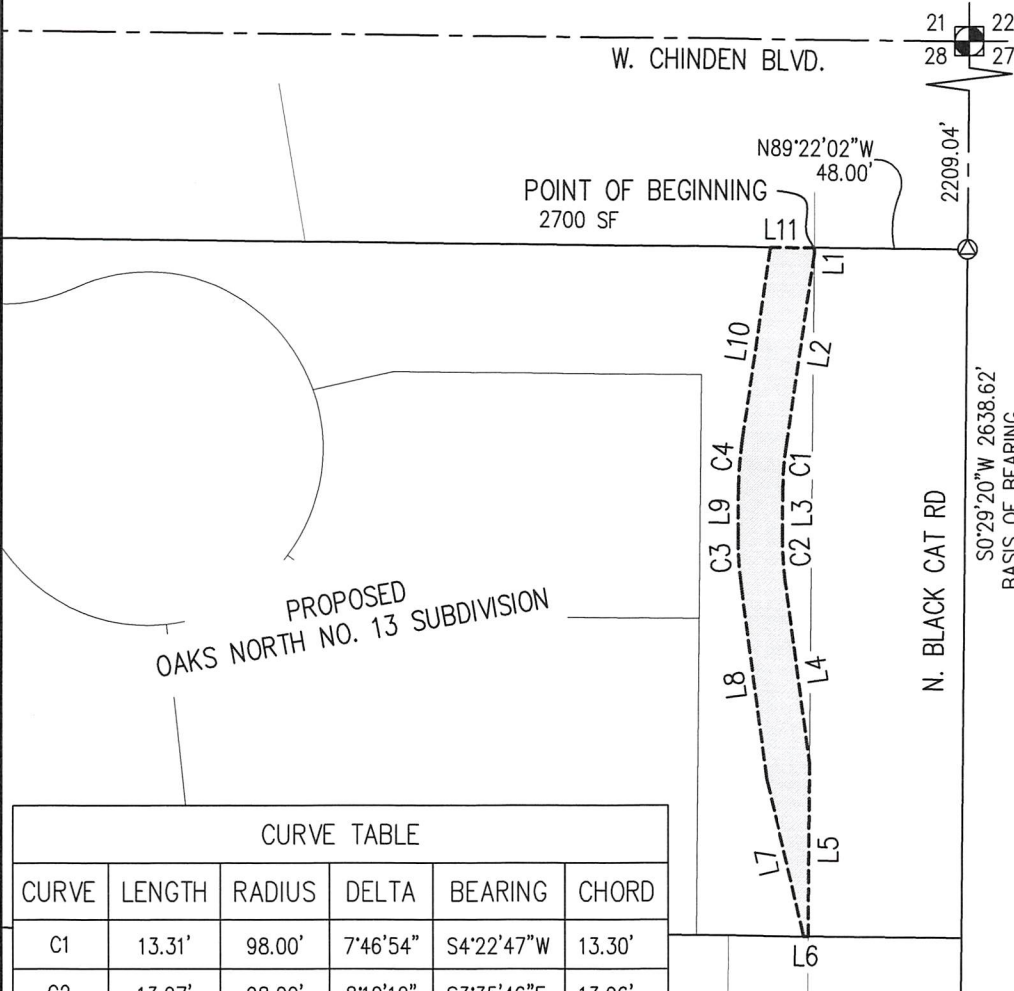


EXHIBIT B

CITY OF MERIDIAN PUBLIC ACCESS EASEMENT

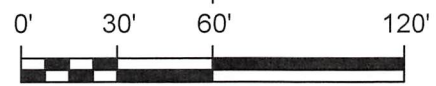
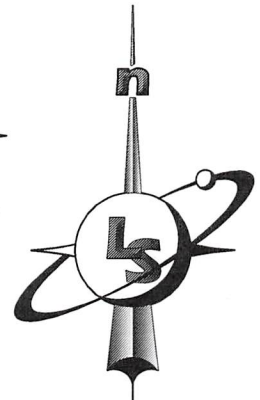
THE OAKS NORTH SUBDIVISION NO. 13

LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 28, T4N, R1W, BM
MERIDIAN, ADA COUNTY, IDAHO



LINE TABLE		
LINE	LENGTH	DIRECTION
L1	1.80'	S0°29'20"W
L2	60.98'	S8°16'14"W
L3	14.33'	S0°29'20"W
L4	57.45'	S7°40'51"E
L5	54.02'	S0°29'20"W
L6	1.43'	N89°21'07"W
L7	50.44'	N13°17'19"W
L8	60.55'	N7°39'53"W
L9	14.33'	N0°29'20"E
L10	60.92'	N8°16'14"E
L11	13.88'	S89°22'02"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	13.31'	98.00'	7°46'54"	S4°22'47"W	13.30'
C2	13.97'	98.00'	8°10'12"	S3°35'46"E	13.96'
C3	15.94'	112.00'	8°09'13"	N3°35'17"W	15.93'
C4	15.21'	112.00'	7°46'54"	N4°22'47"E	15.20'



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