

Project Name (Subdivision):

Gem Prep: Meridian North Pedestrian Pathway Easement Description No. 2

PEDESTRIAN PATHWAY EASEMENT

THIS AGREEMENT, made this 10 day of Sept, 2020, between Gem Prep: Meridian North, 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,

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:_____

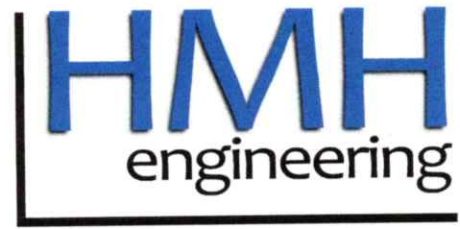


Exhibit A:
Gem Innovation School – Pedestrian Pathway Easement Description No. 2

A 14-foot wide Multi-Use Easement, lying within portion of Parcel S0428325600 recorded as Warranty Deed Instrument No. 2019-073908, also shown on Record of Survey No. 12188 filed in Records of Ada County, lying in the Northwest 1/4 of the Southwest 1/4 of Section 28, Township 4 North, Range 1 West, Meridian City, Boise Meridian, Ada County, Idaho, more particularly described as follows.

COMMENCING at the Southwest Corner of Section 28, monumented by a found 3 1/2-inch Brass Cap as described in Corner Record Instrument No. 2020-020779, from which the West 1/4 Corner of Section 28 bears North 01°00'44" East, 2630.80 feet, monumented by a found 2-inch Aluminum Cap, as described in Corner Record Instrument No. 2020-020780,

- A. Thence along the West Section line of Section 28, North 01°00'44" East, 1,315.33 feet to the Southwest corner of said Parcel S0428325600 the South 1/16th Corner of Section 28 and 29, monumented by a found 1/2-inch rebar with no cap;
- B. Thence along the South line of said Parcel, South 89°19'10" East, 44.81 feet;
- C. Thence North 01°01'24" East, 1.00 foot to the **TRUE POINT OF BEGINNING**;

- 1. Thence North 01°01'24" East, 14.00 feet;
- 2. Thence along a line 15.00-feet North of and parallel with the South Property line of said Parcel, South 89°19'10" East, 389.22 feet;
- 3. Thence along the arc a curve to the right 10.53 feet, having a radius of 32.00 feet, a central angle of 18°51'33" and subtended by a chord bearing South 79°53'23" East, 10.49 feet;
- 4. Thence South 70°27'37" East, 5.98 feet to the East line of said Parcel;
- 5. Thence along said East line, South 01°00'44" West, 11.35 feet to the Southeast corner of said Parcel and a found 5/8-inch rebar with cap stamped "Land Solutions PLS 11118";
- 6. Thence along the South line of said Parcel, North 89°19'10" West, 10.02 feet;
- 7. Thence along the arc of a non-tangent curve to the left 6.03 feet, having a radius of 18.00 feet, a

central angle of $19^{\circ}11'17''$ and subtended by a chord bearing North $79^{\circ}43'31''$ West, 6.00 feet;

8. Thence along a line 1.00-foot North of and Parallel with the South line of said Parcel, North $89^{\circ}19'10''$ West, 389.30 feet to the **TRUE POINT OF BEGINNING**.

Containing 5,664 square feet or 0.130 acres, more or less.

See Attached Pedestrian Pathway No. 2 Sketch

END OF DESCRIPTION

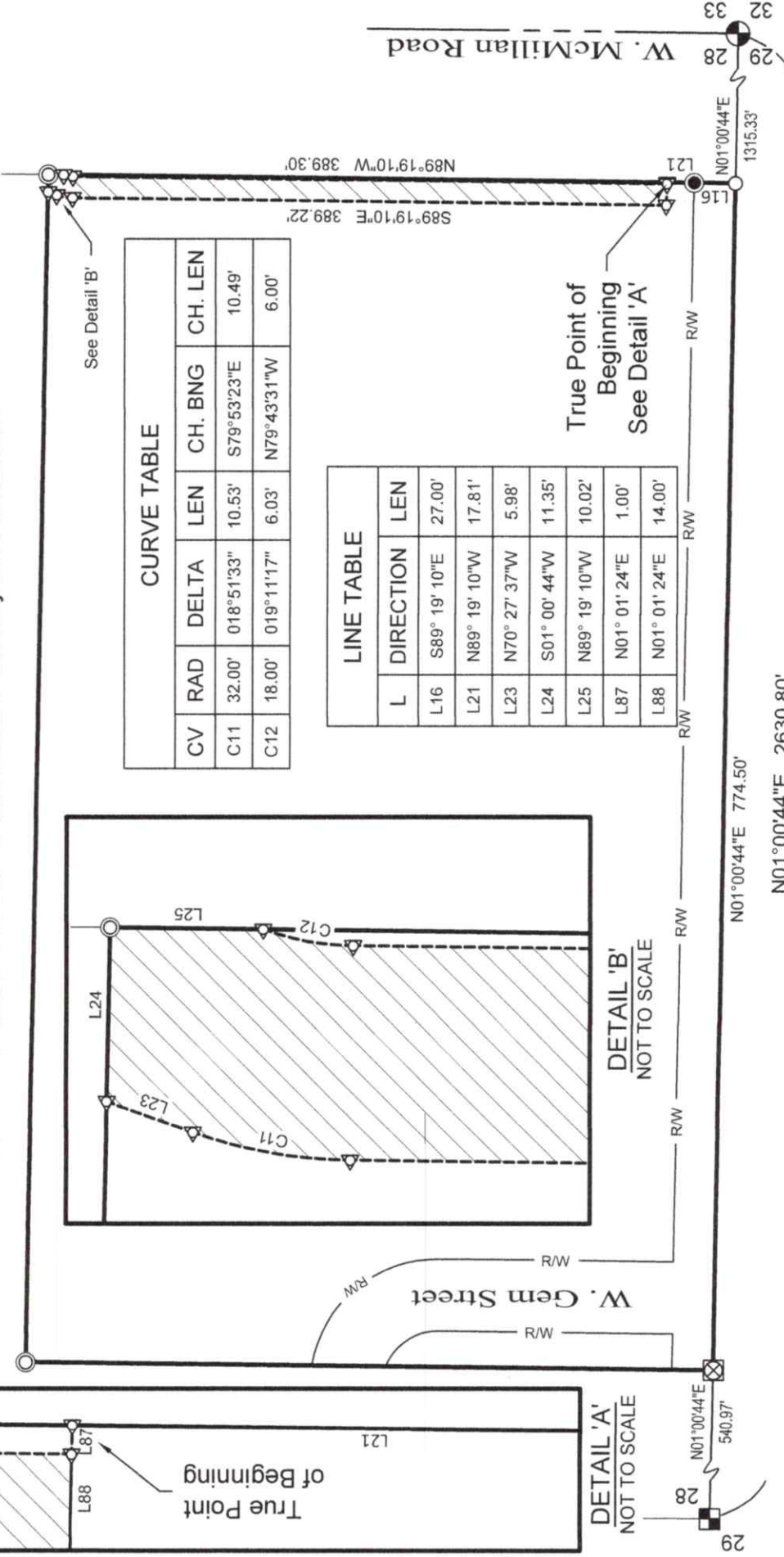
Prepared By:
Timothy J. Fox, PLS 7612
Senior Project Manager

TF:JR



EXHIBIT B

Gem Innovation School - Pedestrian Pathway Easement #2



CV	RAD	DELTA	LEN	CH. BNG	CH. LEN
C11	32.00'	018°51'33"	10.53'	S79°53'23"E	10.49'
C12	18.00'	019°11'17"	6.03'	N79°43'31"W	6.00'

L	DIRECTION	LEN
L16	S89°19'10"E	27.00'
L21	N89°19'10"W	17.81'
L23	N70°27'37"W	5.98'
L24	S01°00'44"W	11.35'
L25	N89°19'10"W	10.02'
L87	N01°01'24"E	1.00'
L88	N01°01'24"E	14.00'

LEGEND

- BOUNDARY SECTION
- NEW EASEMENT
- SURVEY MONUMENT
- CALCULATION POINT
- EASEMENT AREA



0 50 100

SCALE: 1"=100'

FOX LAND SURVEYS

(208) 342-7957

