

Project Name (Subdivision):

Victory Commons Pedestrian Pathway Easement B

PEDESTRIAN PATHWAY EASEMENT

THIS AGREEMENT, made this _____ day of _____, 20____, between Kuna Victory, 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,

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 claims arising exclusively out of acts of the Grantor and no other.

IN WITNESS WHEREOF, the said Grantor has hereunto subscribed its signature the day and year first hereinabove written.

GRANTOR:

KUNA VICTORY, LLC

By: BV Management Services, Inc., an Idaho corporation, the Manager

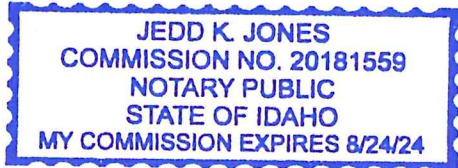
By: [Signature]
Cortney Liddiard, President

STATE OF Idaho)
)ss.
County of Bonneville)

On the 24 day of June, 2020, before me the undersigned, a notary public in and for said State, personally appeared Cortney Liddiard, known or identified to me to be the President of BV Management Services, Inc., which corporation is the Manager of Kuna Victory, LLC, and the Manager who subscribed said limited liability company name to the foregoing instrument, and acknowledged to me that such corporation as the Manager executed the same in said limited liability company name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(seal)



[Signature]
Notary Public for Idaho

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: _____



Date: June 15, 2020
Project: ID-1402-1810
Page: 1 of 1

EXHIBIT "A"

SIDEWALK EASEMENT

This Easement is situated in Government Lot 4 of Section 19, Township 3 North, Range 1 East of the Boise Meridian, City of Meridian, Ada County, Idaho, being a portion of Lot 1, Block 1, and Lot 2, Block 1, of Mussell Corner Subdivision, on file in Book 95 of Plats, Pages 11624-11626, also being a portion of Parcel B of Record of Survey Property Boundary Adjustment No. 8699, records of Ada county, Idaho, more particularly described as follows:

COMMENCING at the southwest corner of said Government Lot 4; thence along the west boundary of said Government Lot 4,

- 1) N.00°38'36"E., 491.24 feet; thence leaving said west boundary,
- 2) S.89°21'24"E., 70.00 feet to the southwest corner of said Lot 2, being coincident with the east right-of-way of S. Kuna-Meridian Road as it now exists and the **POINT OF BEGINNING**; thence along the south boundary of said Lot 2,
- 3) N.89°42'14"E., 11.00 feet, thence leaving said south boundary,
- 4) N.00°56'17"E., 234.52 feet to the north boundary of said Parcel B, thence along said north boundary;
- 5) N.89°31'23"W., 12.21 feet to said east right-of-way; thence along said right-of-way,
- 6) S.00°38'36"W., 234.66 feet to the **POINT OF BEGINNING**.

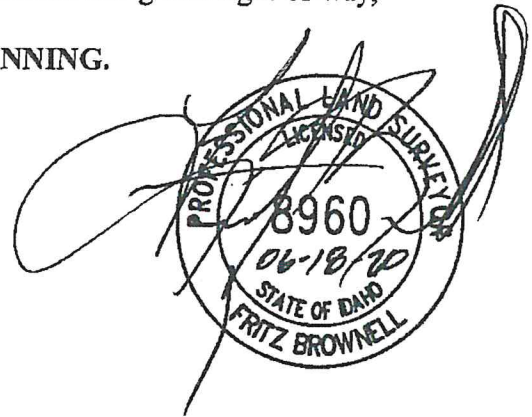
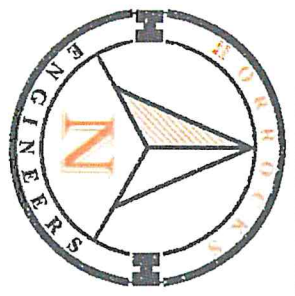
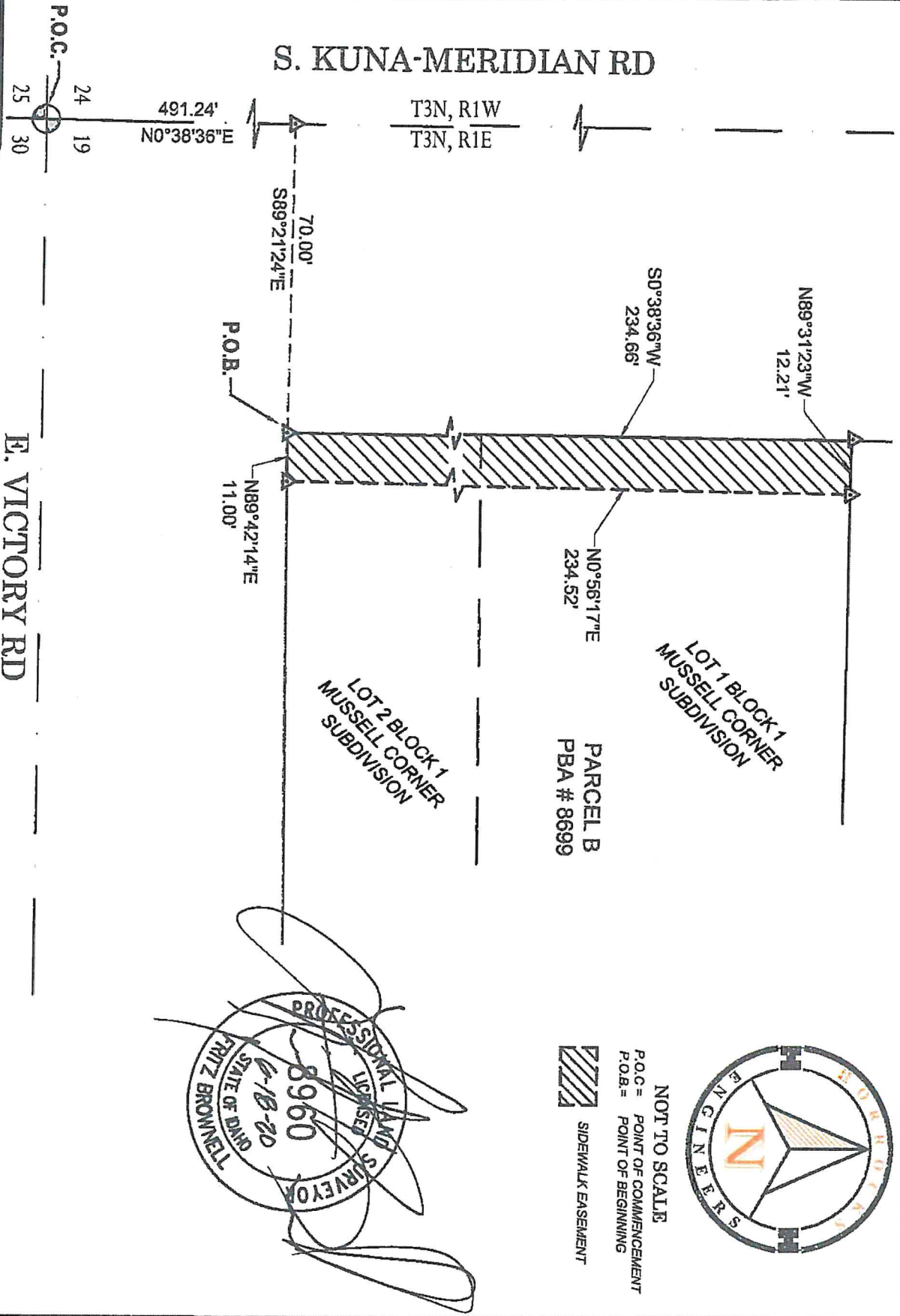


Exhibit B
Parcel B

H:\10218\ID-1402-1810 Victory Commons\Project Data\02 CAD\2.04 Survey CAD\ID1402 SIDEWALK EASEMENT EXHIBIT.dwg Fritz Brownell 8/18/2020 9:44 AM



NOT TO SCALE
 P.O.C. = POINT OF COMMENCEMENT
 P.O.B. = POINT OF BEGINNING
 SIDEWALK EASEMENT

HORROCKS ENGINEERS
 2775 Newington Dr., Suite 210
 Meridian, ID 83642
 (208) 898-2520
 www.horrock.com

WARNING
 1/2
 IF THIS BAR DOES NOT MEASURE 1" THEN DRAWING IS NOT TO SCALE

EXHIBIT "B" SIDEWALK EASEMENT
 SITUATED IN A PORTION OF PARCEL B OF RECORD OF SURVEY NO. 8699
 SECTION 19, T3N, R1E, B.M., CITY OF MERIDIAN, IDAHO

DRAWING INFO	
DATE	06/18/20
NO TO SCALE	
REV #	DATE
PROJ. NO.	ID-1402-1810