

Project Name (Subdivision):

Chamberlain Estates Pathway Easement

PEDESTRIAN PATHWAY EASEMENT

THIS AGREEMENT, made this _____ day of _____, 20____, between Chamberlain Estates HOA, 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,

Legal Description

Lot 5 of Block 8, and Lots 20 & 33 of Block 2, of the Chamberlain Estates Subdivision No. 2,
Book 75, page 7619, Ada County Records.

BK 74 Kg 71119

CHAMBERLAIN ESTATES SUBDIVISION NO. 2

PLAT SHOWING

LOCATED IN THE N1/2 OF THE S1/2 OF GOVERNMENT LOT 4, SECTION 5, T.3N., R.1E., B.M., MERIDIAN, ADA COUNTY, IDAHO

1997

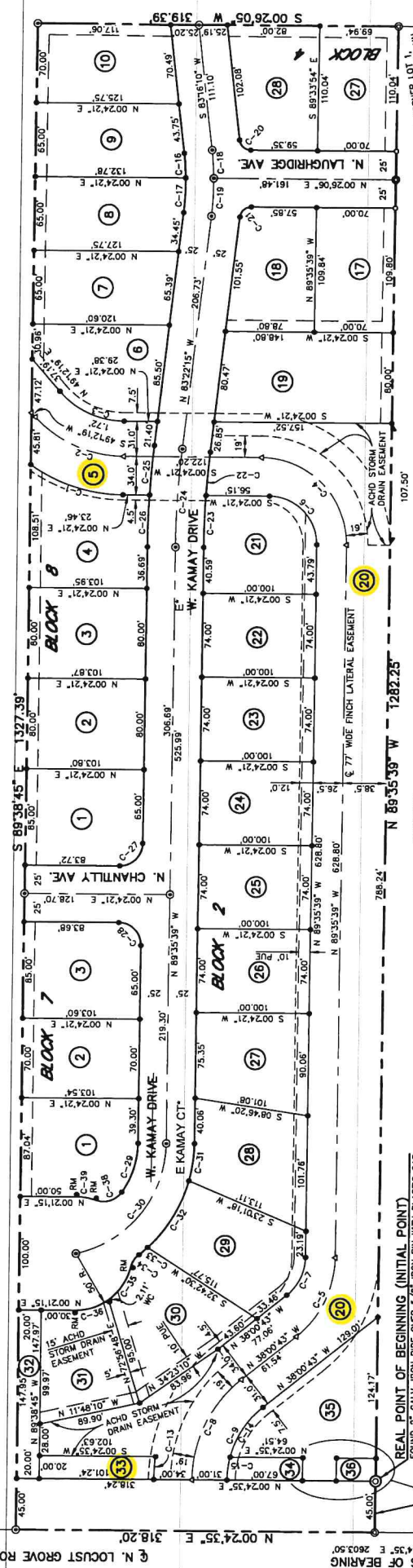
HUBBLE ENGINEERING, INC. • BOISE, IDAHO

CURVE DATA:

CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BRG.	DELTA
C-1	141.33'	87.29'	85.91'	S 18°05'59" W	35°23'17"
C-2	107.33'	91.41'	88.68'	S 24°48'20" W	48°47'59"
C-3	76.33'	65.01'	63.06'	S 24°48'20" W	48°47'59"
C-4	76.33'	120.17'	108.19'	N 45°24'21" E	90°00'00"
C-5	88.81'	79.95'	77.28'	S 62°48'11" E	31°34'56"
C-6	45.50'	66.76'	60.10'	N 45°24'21" E	90°00'00"
C-7	45.50'	98.26'	36.98'	S 63°48'11" E	51°34'56"
C-8	112.67'	101.44'	98.05'	N 63°48'14" W	51°35'02"
C-9	81.67'	73.53'	71.07'	N 63°48'18" W	51°35'10"

UNPLATTED

SCALE: 1" = 60'



CURVE DATA:

CURVE	RADIUS	LENGTH	CHORD DIST.	CHORD BRG.	DELTA
C-20	10.00'	14.46'	13.23'	S 41°51'08" W	82°50'05"
C-21	15.00'	14.63'	13.36'	N 41°28'05" W	89°48'21"
C-22	1775.00'	38.45'	38.44'	N 84°47'32" W	02°50'38"
C-23	1775.00'	45.73'	45.72'	N 87°54'13" W	03°22'51"
C-24	800.00'	86.89'	86.85'	N 66°58'57" W	06°13'24"
C-25	805.00'	43.88'	43.87'	N 84°53'41" W	03°02'51"
C-26	805.00'	45.73'	45.72'	N 88°0'23" W	03°10'33"
C-27	20.00'	31.42'	28.28'	S 44°35'39" E	90°00'00"
C-28	20.00'	31.42'	28.28'	N 45°24'21" E	90°00'00"
C-29	75.07'	46.07'	45.35'	S 72°0'48" E	35°09'42"
C-30	100.07'	135.36'	125.28'	S 50°50'33" E	77°30'11"
C-31	125.07'	33.91'	33.21'	S 81°57'54" E	15°15'31"
C-32	125.07'	69.82'	68.92'	S 58°20'34" E	31°55'08"
C-33	20.00'	3.38'	3.38'	S 40°04'38" E	04°32'45"
C-34	20.00'	3.38'	3.38'	N 56°58'15" W	38°20'00"
C-35	50.00'	35.24'	34.56'	S 55°56'39" E	40°23'17"
C-36	50.00'	31.51'	30.99'	N 17°41'54" W	36°06'17"
C-37	20.00'	ND	ND	DATA	DATA
C-38	20.00'	25.95'	24.17'	S 17°15'47" E	74°20'20"
C-39	50.00'	17.06'	16.98'	N 10°07'49" E	19°33'08"

LEGEND

- FOUND BRASS CAP
- SET 5/8" X 30" IRON PIN WITH PLASTIC CAP, PLS 4431
- SET 1/2" X 24" IRON PIN WITH PLASTIC CAP, PLS 4431
- FOUND 5/8" IRON PIN, PLS 4431
- FOUND 1/2" IRON PIN, PLS 4431
- CALCULATED POINT, NOT SET
- PROPERTY BOUNDARY
- PUBLIC UTILITIES, DRAINAGE AND IRRIGATION EASEMENTS (PUE, I/O FROM PROPERTY LINE AND/OR LOT LINE)
- OPERATIONS & MAINTENANCE EASEMENT FOR THE FINCH LATERAL/OR AS SHOWN
- CENTERLINE
- LOT LINE
- WITNESS CORNER OR REFERENCE MONUMENT 2.00' OFFSET TO LOT CORNER UNLESS OTHERWISE NOTED
- OTHERWISE DIMENSIONS OF REVERSE CURVE ARE RADIAL TO LOT CORNER
- LOT NUMBER
- ADA COUNTY HIGHWAY DISTRICT

NOTES:

- BUILDING SETBACKS SHALL CONFORM TO THE APPLICABLE ZONING REGULATIONS OF THE CITY OF MERIDIAN.
- ALL LOT LINES COMMON TO A PUBLIC RIGHT-OF-WAY LINE HAVE A TEN (10) FOOT WIDE PERMANENT PUBLIC UTILITIES, DRAINAGE AND IRRIGATION EASEMENT.
- 311-800 CONCERNING IRRIGATION WATER.
- ANY RESUBDIVISION OF THIS PLAT SHALL COMPLY WITH THE APPLICABLE ZONING REGULATIONS IN EFFECT AT THE TIME OF RESUBDIVISION, OR AS ALLOWED BY CONDITIONAL USE.
- ALL SIDES OF INTERIOR LOT LINES HAVE A FIVE (5) FOOT PERMANENT PUBLIC UTILITY, DRAINAGE AND IRRIGATION EASEMENT, EXCEPT AS OTHERWISE DIMENSIONED.
- ALL LOTS WITHIN THE SUBDIVISION ARE ESSENTIALLY LOTS, EXCEPT LOTS 20, 32, 33, 34 & 35, BLOCK 2 AND LOT 5, BLOCK 8.
- LOTS 5, BLOCK 8 CONTAIN EASEMENTS TO MAMPA MERIDIAN IRRIGATION DISTRICT FOR THE OPERATION AND MAINTENANCE OF THE FINCH LATERAL AND WILL BE OWNED BY THE HOMEOWNERS OF LOTS 5, BLOCK 8.
- BLOCK 2 ARE COMMON AREA LOTS OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION; LOT 32, BLOCK 2 ALSO HAS A BLANKET CITY OF MERIDIAN SANITARY EASEMENT FOR LOT 20.
- LOT 20 HAS A BLANKET EASEMENT TO ACHD FOR HEAVY MAINTENANCE OF THE FINCH LATERAL.
- MAINTENANCE OF ANY IRRIGATION, DRAINAGE PIPE OR DITCH CROSSING A LOT IS THE RESPONSIBILITY OF THE LOT OWNER UNLESS SUCH RESPONSIBILITY IS ASSUMED BY AN IRRIGATION/DRAINAGE DISTRICT.
- THE BOTTOM ELEVATION OF HOUSE FOOTINGS SHALL BE SET A MINIMUM OF 12 INCHES ABOVE THE HIGHEST KNOWN SEASONAL GROUND WATER ELEVATION.
- LOT 35, BLOCK 2, ACCESS TO N. LOCUST GROVE ROAD IS PROHIBITED, EXCEPT FOR ALL DWELLINGS SHALL BE A MINIMUM OF 1400 SQUARE FEET.
- LOTS 4 AND 6, BLOCK 8; LOT 19, BLOCK 2; AND LOTS 21 THROUGH 30, INCLUDING BLOCK 2, CONTAIN EASEMENTS TO MAMPA & MERIDIAN IRRIGATION DISTRICT FOR THE OPERATION AND MAINTENANCE OF THE FINCH LATERAL.
- THIS PLAT IS SUBJECT TO A DEVELOPMENT AGREEMENT AS FILED IN THE OFFICE OF ADA COUNTY RECORDER AS INSTRUMENT NO. 97047913.
- MAMPA & MERIDIAN IRRIGATION DISTRICT NAME CORRECTIONS PER AFFIDAVIT INST. # 97048922 ACHD 6-16-97, 2-31-01, PP.

EXHIBIT B
Easement Depiction



DEVELOPER:
KEVIN HOWELL CONSTRUCTION
BOISE, IDAHO
93-163-01