

**Project Name (Subdivision):**

Victory Commons Pedestrian Pathway Easement- A

**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

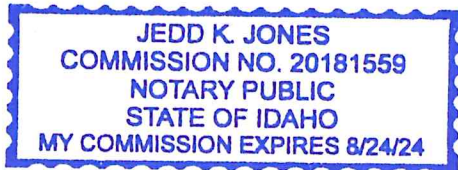
By: [Signature]  
Cortney Liddiard, President

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: \_\_\_\_\_

Exhibit A  
Parcel A

2775 W. Navigator Drive, Suite 210  
Meridian, Idaho 83642  
www.horrocks.com

**HORROCKS**  
ENGINEERS

Idaho Office  
Tel. 208.895.2520



Date: June 15, 2020  
Project: ID-1402-1810  
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*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 of Mussell Corner Subdivision, on file in Book 95 of Plats, Pages 11624-11626, also being a portion of Parcel A 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., 1331.46 feet to the northwest corner of said Gov't Lot 4; thence along the north boundary of said Gov't Lot 4,
- 2) S.89°21'24"E., 70.00 feet to a point on the northwest corner of said Lot 1, 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 west boundary of said Lot 1,
- 3) S.00°38'36"W., 605.56 feet to the southwest corner of said Parcel A; thence coincident with the south boundary of said Parcel A;
- 4) S.89°31'23"E., 12.21 feet, thence;
- 5) N.00°56'19"E., 528.27 feet; thence through a non-tangent curve to the left,
- 6) Having a length of 23.45 feet, a radius of 102.87 feet, and through a central angle of 13° 03'30", with a chord bearing of N.05°37'14"W., and a chord distance of 23.40 feet, thence;
- 7) N.13°03'41"W., 9.70 feet, thence through a non-tangent curve to the left,
- 8) Having a length of 62.97 feet, a radius of 129.11 feet, and through a central angle of 27° 56'36", with a chord bearing of N.68°09'17"E., and a chord distance of 62.34 feet, thence;
- 9) N.54°10'59"E., 5.18 feet, thence through a non-tangent curve to the right,

- 10) Having a length of 83.36 feet, a radius of 47.98 feet, and through a central angle of  $99^{\circ} 32' 36''$ , with a chord bearing of  $S.76^{\circ} 04' 03'' E.$ , and a chord distance of 73.27 feet, thence;
- 11)  $S.26^{\circ} 14' 22'' E.$ , 119.50 feet, thence through a curve to the right;
- 12) Having a length of 19.67 feet, a radius of 98.00 feet, and through a central angle of  $11^{\circ} 29' 54''$ , with a chord bearing of  $S.20^{\circ} 34' 02'' E.$ , and a chord distance of 19.63 feet, thence through a curve to the left;
- 13) Having a length of 21.71 feet, a radius of 106.28 feet, and through a central angle of  $11^{\circ} 42' 19''$ , with a chord bearing of  $S.21^{\circ} 15' 58'' E.$ , and a chord distance of 21.67 feet, thence;
- 14)  $S.29^{\circ} 37' 58'' E.$ , 8.46 feet, thence;
- 15)  $N.56^{\circ} 08' 01'' E.$ , 10.02 feet, thence;
- 16)  $N.29^{\circ} 33' 42'' W.$ , 3.94 feet, thence;
- 17)  $N.66^{\circ} 20' 50'' E.$ , 9.09 feet to the east boundary of said Lot 1, thence coincident with said east boundary through a non-tangent curve right;
- 18) Having a length of 8.98 feet, a radius of 655.00 feet, and through a central angle of  $00^{\circ} 47' 08''$ , with a chord bearing of  $N.28^{\circ} 40' 10'' W.$ , and a chord distance of 8.98 feet, thence leaving said east boundary;
- 19)  $S.65^{\circ} 54' 32'' W.$ , 8.83 feet, thence through a non-tangent curve to the right;
- 20) Having a length of 14.05 feet, a radius of 92.00 feet, and through a central angle of  $08^{\circ} 45' 05''$ , with a chord bearing of  $N.19^{\circ} 41' 13'' W.$ , and a chord distance of 14.04 feet, thence through a curve left;
- 21) Having a length of 21.62 feet, a radius of 108.00 feet, and through a central angle of  $11^{\circ} 28' 15''$ , with a chord bearing of  $N.20^{\circ} 34' 39'' W.$ , and a chord distance of 21.59 feet, thence;
- 22)  $N.26^{\circ} 14' 22'' W.$ , 119.50 feet, thence through a curve left;



- 23) Having a length of 61.43 feet, a radius of 57.99, and through a central angle of  $60^{\circ} 41'33''$ , with a chord bearing of  $N.56^{\circ}38'33''W.$ , and a chord distance of 58.59 feet to the north boundary of said Lot 1, thence coincident with said north boundary;
- 24)  $S.89^{\circ}41'44''W.$ , 6.71 feet, thence leaving said north boundary through a non-tangent curve left;
- 25) Having a length of 32.60 feet, a radius of 57.99, and through a central angle of  $32^{\circ} 12'42''$ , with a chord bearing of  $S.70^{\circ}16'27''W.$ , and a chord distance of 32.17 feet, thence;
- 26)  $S.54^{\circ}10'59''W.$ , 5.18 feet, thence through a non-tangent curve right;
- 27) Having a length of 59.00 feet, a radius of 118.98, and through a central angle of  $28^{\circ} 24'39''$ , with a chord bearing of  $S.68^{\circ}22'24''W.$ , and a chord distance of 58.40 feet, thence;
- 28)  $N.13^{\circ}14'37''W.$ , 15.94 feet, thence through a non-tangent curve right;
- 29) Having a length of 19.55 feet, a radius of 93.60, and through a central angle of  $11^{\circ} 58'08''$ , with a chord bearing of  $N.06^{\circ}25'03''W.$ , and a chord distance of 19.52 feet to the north boundary of said Lot 1, thence coincident with said north boundary;
- 30)  $S.89^{\circ}41'44''W.$ , 1.47 feet to the POINT OF BEGINNING.



Exhibit B  
Parcel A

H:\2018\UD-1402-1810 Victory Commons\Project Data\02 CAD\2.04 Survey CADVD1402 SIDEWALK EASEMENT EXHIBIT.dwg Fritz Brownell 6/18/2020 11:58 AM

**HORROCKS ENGINEERS**  
2775 Navigator Dr., Suite 210  
Meridian, ID 83642  
(208) 985-2520  
www.horrocks.com

**WARNING**  
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  
NOT TO SCALE  
REV.#: DATE:  
PROJ. NO.: UD-1402-1810  
**1**  
PAGE

