

Project Name (Subdivision):

GANDER CREEK NORTH NO 1

PEDESTRIAN PATHWAY EASEMENT #1

PEDESTRIAN PATHWAY EASEMENT

THIS AGREEMENT, made this 10th day of September 20 , between BILTMORE COMPANY, 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
Description for
City of Meridian Pathway Easements
Gander Creek North Subdivision
September 8, 2021

A portion of the North 1/2 of the Northeast 1/4 of Section 32, Township 4 North, Range 1 West of the Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap monument marking the Northeast corner of said Section 32 from which an aluminum cap marking the North 1/4 corner of said Section 32 bears North 89°22'01" West, 2642.73 feet; thence South 89°14'13" West, 1,026.13 feet to **REAL POINT OF BEGINNING 'C'**;

thence South 00°37'59" West, 29.00 feet;

thence North 89°22'01" West, 115.68 feet;

thence South 24°31'28" West, 17.79 feet;

thence South 00°37'59" West, 86.25 feet;

thence North 44°22'01" West, 18.38 feet;

thence North 00°37'59" East, 95.69 feet;

thence North 45°37'59" East, 32.28 feet to the south right-of-way line of W. McMillan Road;

thence on said south right-of-way line, South 89°22'01" East, 113.06 feet to the **REAL POINT OF BEGINNING 'C'**.

Containing 4,987 square feet or 0.11 acres, more or less.

AND

A portion of the North 1/2 of the Northeast 1/4 of Section 32, Township 4 North, Range 1 West of the Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:



Commencing at a brass cap monument marking the Northeast corner of said Section 32 from which an aluminum cap marking the North 1/4 corner of said Section 32 bears North 89°22'01" West, 2642.73 feet; thence South 79°58'42" West, 1,173.66 feet to **REAL POINT OF BEGINNING 'D'**;

thence continuing South 00°23'35" West, 6.00 feet;

thence North 89°22'01" West, 113.24 feet;

thence South 00°36'35" West, 341.82 feet;

thence South 11°49'37" East, 23.93 feet;

thence 20.45 feet along the arc of a curve to the left having a radius of 840.70 feet, a central angle of 1°23'38" and a long chord which bears North 79°36'36" West 20.45 feet;

thence North 00°36'35" East, 367.72 feet;

thence South 89°22'01" East, 128.22 feet to the **REAL POINT OF BEGINNING 'D'**.

Containing 6,272 square feet or 0.14 acres, more or less.

AND

A portion of the North 1/2 of the Northeast 1/4 of Section 32, Township 4 North, Range 1 West of the Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a brass cap monument marking the Northeast corner of said Section 32 from which an aluminum cap marking the North 1/4 corner of said Section 32 bears North 89°22'01" West, 2642.73 feet; thence South 63°40'26" West, 1,440.97 feet to **REAL POINT OF BEGINNING 'E'**;

thence South 24°10'26" West, 102.33 feet to the north right-of-way line of Five Mile Creek as described in a Deed recorded May 18th, 1917 as Instrument No. 69135, records of Ada County, Idaho;

thence 20.63 feet along the arc of a curve to the left having a radius of 673.70 feet, a central angle of 1°45'17" and a long chord which bears North 82°41'05" West 20.63 feet;



thence North 06°26'17" East, 13.97 feet;

thence North 24°10'26" East, 100.20 feet;

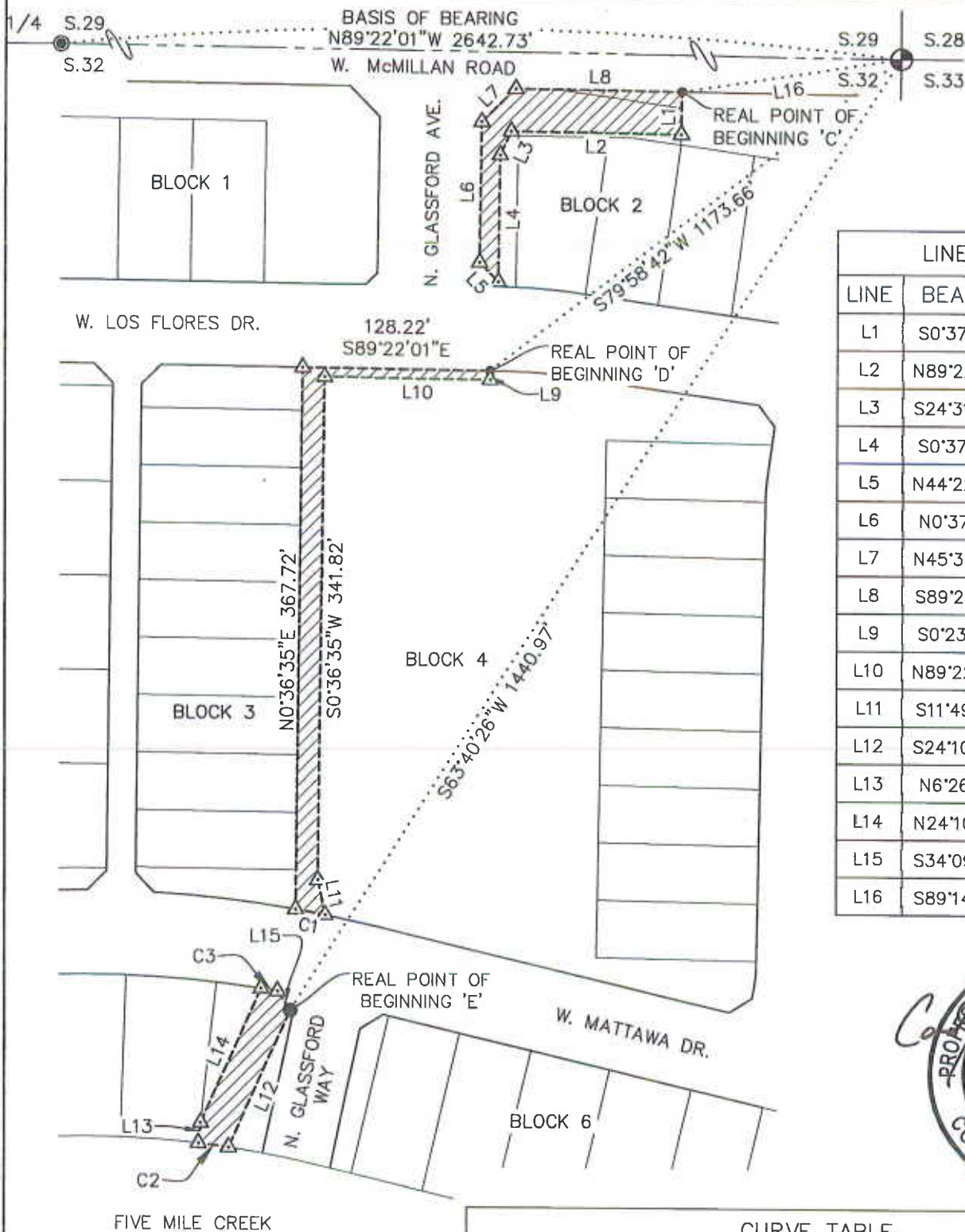
thence 11.24 feet along the arc of a curve to the left having a radius of 783.70 feet, a central angle of 0°49'17" and a long chord which bears South 80°55'09" East 11.24 feet;

thence South 34°09'04" East, 15.45 feet to the **REAL POINT OF BEGINNING**
'E'.

Containing 2,638 square feet or 0.06 acres, more or less.

End of Description.





LINE TABLE		
LINE	BEARING	LENGTH
L1	S0°37'59"W	29.00
L2	N89°22'01"W	115.68
L3	S24°31'28"W	17.79
L4	S0°37'59"W	86.25
L5	N44°22'01"W	18.38
L6	N0°37'59"E	95.69
L7	N45°37'59"E	32.28
L8	S89°22'01"E	113.06
L9	S0°23'35"W	6.00
L10	N89°22'01"W	113.24
L11	S11°49'37"E	23.93
L12	S24°10'26"W	102.33
L13	N6°26'17"E	13.97
L14	N24°10'26"E	100.20
L15	S34°09'04"E	15.45
L16	S89°14'13"W	1026.13



CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BRG.	CHORD DIST.
C1	20.45	840.70	1°23'38"	N79°36'36"W	20.45
C2	20.63	673.70	1°45'17"	N82°41'05"W	20.63
C3	11.24	783.70	0°49'17"	S80°55'09"E	11.24



**IDAHO
SURVEY
GROUP, LLC**

9955 W. EMERALD ST.
BOISE, IDAHO 83704
(208) 846-8570

EXHIBIT DRAWING FOR
CITY OF MERIDIAN PATHWAY EASEMENT
GANDER CREEK NORTH SUBDIVISION

LOCATED IN THE N 1/2 OF THE NE 1/4 OF SECTION 32, T.4N., R.1W., B.M.,
CITY OF MERIDIAN, ADA COUNTY, IDAHO

JOB NO.
19-013

SHEET NO.
1 OF 1

DWG. DATE
9/8/2021