

Project Name (Subdivision):

Pedestrian Pathway Easement - Ridenbaugh at Sutherland Farms No. 4

PEDESTRIAN PATHWAY EASEMENT

THIS AGREEMENT, made this 22nd day of September, 2021, between Sutherland Downs 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 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. Any improvements that the GRANTEE wishes to make within this easement at any time in the future must be approved by the Sutherland Downs HOA.

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: _____

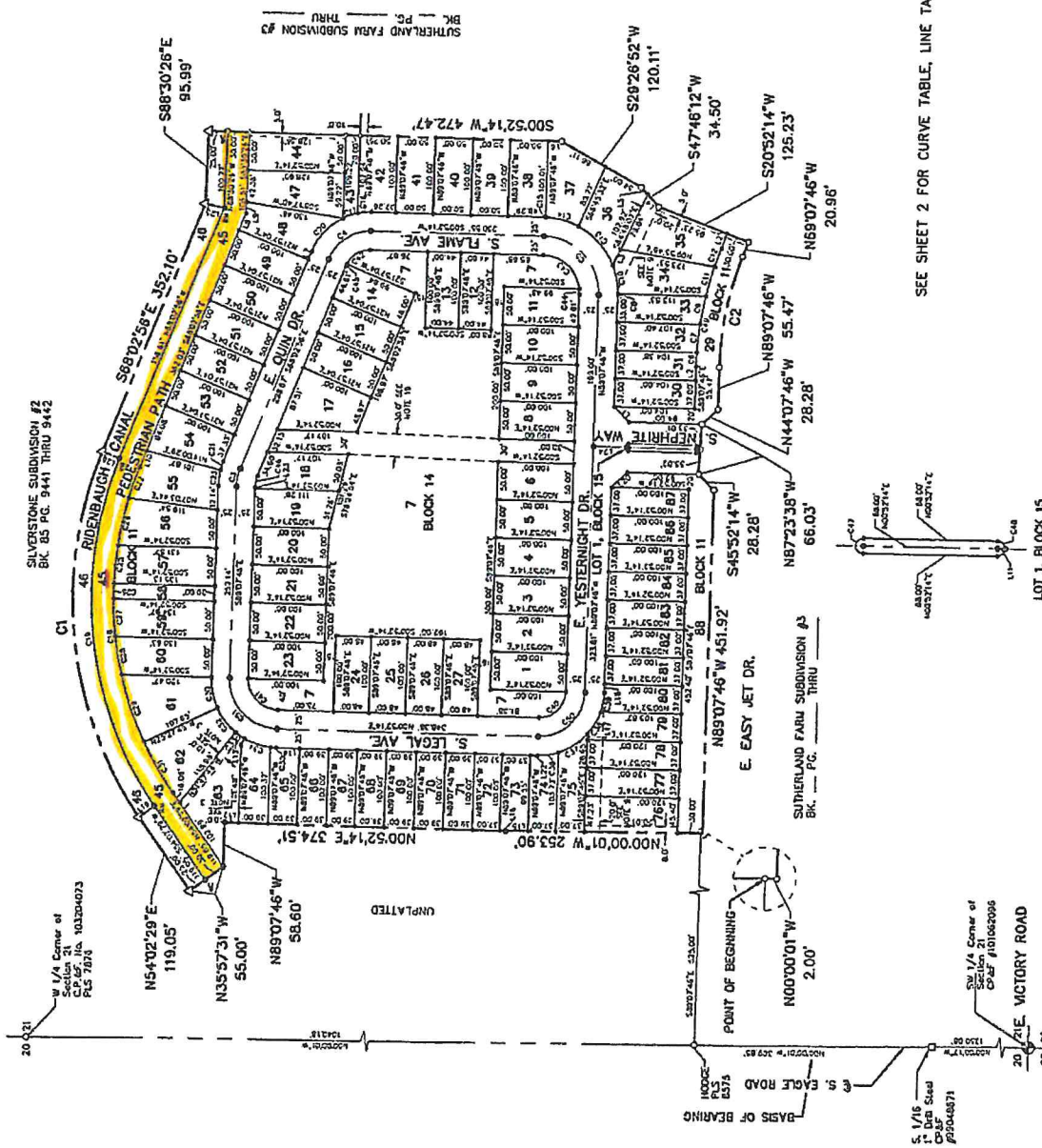
EXHIBIT A

Legal Description

This common area lot is legally described as all of Lot 45, Block 11, Sutherland Farms Subdivision No. 4 as depicted on the Plat recorded in Book 92, Pages 10988 through 10990, in the office of the Recorder, Ada County Idaho.

(This lot is titled under and managed by Sutherland Downs HOA).

PLAT SHOWING
SUTHERLAND FARM SUBDIVISION NO. 4
A PORTION OF THE SOUTHWEST 1/4 OF SECTION 21
TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN
IDAHO
2004



SILVERSTONE SUBDIVISION #2
BK. 85 PG. 9441 THRU 9442

SW 1/4 Corner of
Section 21
C.P. 65, No. 10324073
P.L.S. 78/8

SW 1/4 Corner of
Section 21
C.P. 65, No. 10324073
P.L.S. 78/8

LOT 1, BLOCK 15

SCALE: 1"=100'

BASIS OF BEARING
THE BASIS OF BEARING OF THIS SURVEY WAS ESTABLISHED BY THE BOISE AND WEST ZONE COORDINATE SYSTEM, NAADS DATUM, ROTATED TO THE 1983 COUNTY N.A.T.S. DESIGNATION SURVEY OF JUNE, 1997. THE BEARING OF THE SUTHERLAND FARM SUBDIVISION WAS CALCULATED AT THE SW CORNER SECTION 21, T.3N., R.1E., B.M. ALL BUSINESS SHOWN ARE AT GROUND VALUES.

LEGEND

- Found 5/8" Iron Pin, CA LEE PE/LS 3260 unless otherwise noted
- Found 1/2" Iron Pin, CA LEE PE/LS 3260 unless otherwise noted
- Neighb. Set. Post East to the Center of the Holespout Canal
- Set 5/8" x 30" Iron Pin with Plastic Cap, CA LEE PE/LS 3260
- Reference Monument, Set 5/8" x 30" Iron Pin with Plastic Cap, CA LEE PE/LS 3260
- Found Witness Corner, Set 5/8" x 30" Iron Pin with Plastic Cap, CA LEE PE/LS 3260
- Found 3/8" x 30" Iron Pin with Plastic Cap, CA LEE PE/LS 3260
- Set 1/2" x 24" Iron Pin with Plastic Cap, CA LEE PE/LS 3260
- Boundary Line
- Centerline of Public Street
- Set Line
- Public Utilities, Irrigation, and Drainage easement dimensions as shown.

HEALTH CERTIFICATE

Sanitary restrictions as required by Idaho Code, Title 30, Chapter 13, have been satisfied based on the State of Idaho, Department of Environmental Quality approval of the design plans and specifications and the conditions imposed on the development. Continued satisfaction of the sanitary restrictions. Buyer is cautioned that at the time of this approval, no drinking water or sewer/septic facilities were constructed. Building facilities may be allowed with appropriate building permits if drinking water or sewer facilities. If the developer is simultaneously constructing those facilities, the developer may be allowed to connect the other conditions of DEQ, then sanitary restrictions may be reimposed in accordance with the Idaho Code, by the issuance of a certificate of disapproval, and no construction, any building or shelter requiring drinking water or sewer/septic facilities shall be allowed.

By, Central District Health Department

Date:



DEVELOPER:
SUTHERLAND FARM, INC.
3995 E. GRONER LANE
MERIDIAN, IDAHO 83642

J-J-B ENGINEERS, INC.
Engineers Surveyors Planners

Boise, Idaho

SEE SHEET 2 FOR CURVE TABLE, LINE TABLE AND NOTES