

RESOLUTION ACCEPTING ASSIGNMENT OF GREENBELT EASEMENTS FROM FOUNDATION FOR ADA/CANYON TRAIL SYSTEMS, INC. (FACTS) FOR MANAGEMENT AND MAINTENANCE OF A SEGMENT OF BOISE RIVER GREENBELT AND ACCEPTING FACTS TERMINATION OF ASSIGNMENT AND ASSUMPTION OF ACQUIRED EASEMENTS NO. 490 AND NO. 542

At a meeting of the Board of Ada County Commissioners, State of Idaho, on the 5th day of July, 2016, the following Resolution was adopted, to-wit:

WHEREAS, The Foundation for Ada/Canyon Trail Systems, Inc. (FACTS) is the holder of certain easements granted by: Sunroc Corporation, dba Clements Concrete Co., to FACTS recorded in the Ada County's Recorder's office as Instrument No. 111047861 (hereinafter "Sunroc Easement"); Central Paving Co., to FACTS recorded in the Ada County's Recorder's office as Instrument No. 111020568 (hereinafter "Central Paving Easement"); and Staker Parson Companies to FACTS recorded in the Ada County's Recorder's office as Instrument No. 110117930 (hereinafter "Staker Parson Easement"), which easements were for the purposes of constructing, maintaining and improving a pathway along the Boise River for use by the general public; and

WHEREAS, Ada County is the holder of certain easements granted by: The Henry Ellsworth Dalrymple Testamentary Trust to Ada County recorded in the Ada County's Recorder's office as Instrument No. 98090652 (hereinafter "Acquired Easement No. 490"); and the DeChambeau Family Limited Partnership and Kromrei Family Limited Partnership to Ada County recorded in the Ada County's Recorder's office as Instrument No. 100046552, (hereinafter "Acquired Easement No. 542"), which easements were for the purposes of constructing, maintaining and improving a pathway along the Boise River for use by the general public; and

WHEREAS, Ada County assigned its interests in Acquired Easement No. 490 and in Acquired Easement No. 542, which Assignment and Assumptions are recorded as Instruments Nos. 110071923 and 110071924 respectively to FACTS to allow FACTS to have the pathway constructed and maintained across Acquired Easements Nos. 490 and 542; and

WHEREAS, the greenbelt pathway across the Sunroc Easement, Central Paving Easement, Staker Parson Easement, Acquired Easement No. 490, and Acquired Easement No. 542 has been constructed; and

WHEREAS, FACTS does not have the employees and equipment to continue to maintain the pathway and Ada County does have the employees and equipment to maintain the pathway and Ada County is willing to maintain the pathway; and

WHEREAS, FACTS desires to assign its interests in the Sunroc Easement, Central Paving Easement, and Staker Parson Easement to Ada County and to terminate its duties under the Assignment and Assumptions of Acquired Easements Nos. 490 and 542 and have Ada County maintain the pathway across all the easements; and

WHEREAS, Ada County is willing to accept assignment of the Sunroc Easement, Central Paving Easement, and Staker Parson Easement and FACTS termination of the Assignment and Assumptions of Acquired Easements Nos. 490 and 542.

BE IT THEREFORE RESOLVED Ada County will accept the assignment of FACTS' interests under the Sunroc Easement, Central Paving Easement, and Staker Parson Easement and agrees to perform the terms and conditions of the easements.

AND BE IT FURTHER RESOLVED that Ada County accepts FACTS termination of the Assignments and Assumptions of Acquired Easements Nos. 490 and 542.

APPROVED AND ADOPTED this 5th day of July, 2016.

Board of Ada County Commissioners

By: _____
Jim Tibbs, Commissioner

By: _____
Rick Yzaguirre, Commissioner

By: _____
David L. Case, Commissioner

ATTEST:

Christopher D. Rich, Ada County Clerk