

1776980

TRAIL EASEMENT

This easement is made this 6th day of January 2003. The grantors to this easement are Waterford Estates, L.L.C., an Idaho Limited Liability Company and Jon D. Harper and Michelle L. Harper, husband and wife (collectively referred to as "Grantor"). The grantees to this easement are the owners of the lots located in the subdivision, known as Waterford Estates and the public in general (collectively referred to as the "Grantee"). The mailing address for the Grantee shall be the Waterford Estates Property Owner's, Inc., whose address is 1322 Kathleen Avenue, Suite 2, Coeur d'Alene, Idaho.

1. Grant of Easement. For valuable consideration, the receipt of which is hereby acknowledged, Grantor does hereby make, convey, and grant to a perpetual nonexclusive trail access easement of 15 feet in width over and across the property described in Exhibit "A" attached hereto and incorporated herein by this reference.

2. Benefited Real Property. This access easement is made, conveyed and granted for the use and the benefit of the real property described in the subdivision plat known as Waterford Estates as recorded in Records of Kootenai County in Book I of Plats Pages 346-346C, and shall be appurtenant thereto and for the benefit of the owners, lessees, guests, and invitees of said real property. This access easement is also made, conveyed and granted for the use and the benefit of the general public.

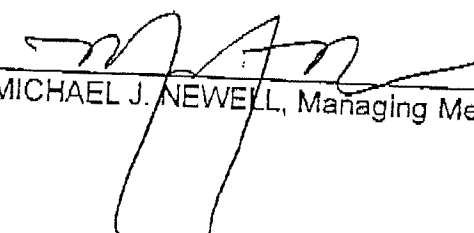
3. Purpose of Easement. The purpose of this trail easement is for pedestrian or other human power forms of transportation ingress and egress over and across the trail easement as identified herein. The use of the trail easement may be reasonably regulated by Waterford Estates Property Owner's, Inc. for the protection of the trail easement and the adjacent property owners. The regulation of the trail easement by Waterford Estates Property Owner's, Inc. shall be consistent with the requirements of the City of Hauser and Kootenai County.

4. Maintenance of the Easement. By accepting and recording this easement, Grantee agrees and acknowledges that any improvement and maintenance of the easement shall be the sole responsibility and cost of Grantee. (Grantor's obligation to pay assessments to Waterford Property Owner's, Inc., is not affected by this easement).

IN WITNESS WHEREOF, Grantor has duly executed this instrument this 6th day of January 2003.

WATERFORD ESTATES, L.L.C.

By:


MICHAEL J. NEWELL, Managing Member

TRAIL EASEMENT

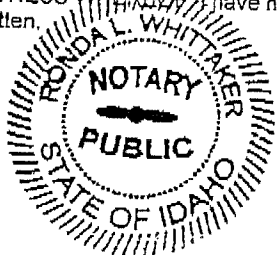
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J.D. Harper
JON D. HARPER (Owner of Lot 15 & 16)
Michelle L. Harper
MICHELLE L. HARPER, (Owner of Lot 15 & 16)

STATE OF IDAHO)
County of Kootenai) ss.

On this 6th day of January 2008, before me, a Notary Public, personally appeared MICHAEL J. NEWELL, known to me or identified to me to be a Managing Member of WATERFORD ESTATES, L.L.C., an Idaho limited liability corporation, that executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

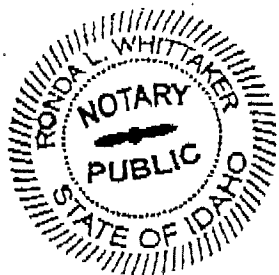


Ronda L. Whittaker
Notary Public in and for the State of Idaho
Commission Expires: 7/08

STATE OF IDAHO)
County of Kootenai) ss.

On the 22 day of January 2008 before me, a Notary Public, personally appeared JON D. HARPER and MICHELLE L. HARPER, husband and wife, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official the day and year in this certificate first above written.



Ronda L. Whittaker
Notary Public for the State of Idaho
Commission Expires: 7/08

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TRAIL EASEMENT
8-26-02

A 15.0 FOOT WIDE STRIP OF LAND IN A PORTION OF THE SOUTH HALF OF SECTION 12, TOWNSHIP 51 NORTH, RANGE 6 WEST, B.M., KOOTENAI COUNTY, IDAHO, SAID STRIP OF LAND BEING MEASURED 7.5 FEET AT A RIGHT ANGLE TO BOTH SIDES OF THE FOLLOWING DESCRIBED CENTERLINE;

BEGINNING AT THE SOUTHEASTERLY CORNER OF LOT 1, BLOCK ONE OF THE PLAT OF WATERFORD ESTATES, BOOK I, PAGE 346, RECORDS OF KOOTENAI COUNTY;

THENCE FOLLOWING THE SOUTHERLY BOUNDARY LINE OF SAID LOT 1, 59.34 FEET ALONG A CIRCULAR CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 408.85 FEET, A CENTRAL ANGLE OF 8°18'55", A CHORD BEARING OF N 61°18'27" W AND A CHORD DISTANCE OF 59.28 FEET TO THE TRUE POINT OF BEGINNING FOR THIS CENTERLINE DESCRIPTION;

THENCE LEAVING THE SAID SOUTHERLY BOUNDARY LINE ALONG SAID CENTERLINE THE FOLLOWING COURSES: N 13°32'21" E, 13.49 FEET;

THENCE N 5°05'12" E, 226.58 FEET TO A POINT OF TANGENT;

THENCE 26.61 FEET ALONG A CIRCULAR CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 45.86 FEET, A CENTRAL ANGLE OF 33°14'39", A CHORD BEARING OF N 11°32'08" W AND A CHORD DISTANCE OF 26.24 FEET;

THENCE N 28°09'28" W, 193.71 FEET TO A POINT OF TANGENT;

THENCE 74.77 FEET ALONG A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 293.16 FEET, A CENTRAL ANGLE OF 14°36'49", A CHORD BEARING OF N 20°51'03" W AND A CHORD DISTANCE OF 74.57 FEET;

THENCE N 13°32'39" W, 21.89 FEET TO A POINT OF TANGENT;

THENCE 105.76 FEET ALONG A CIRCULAR CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 700.77 FEET, A CENTRAL ANGLE OF 8°38'49", A CHORD BEARING OF N 17°52'04" W AND A CHORD DISTANCE OF 105.66 FEET;

THENCE N 22°11'28" W, 36.48 FEET TO A POINT OF TANGENT;

THENCE 62.68 FEET ALONG A CIRCULAR CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 982.56 FEET, A CENTRAL ANGLE OF 3°39'18", A CHORD BEARING OF N 24°01'07" W AND A CHORD DISTANCE OF 62.67 FEET;

THENCE N 25°50'46" W, 126.27 FEET TO A POINT OF TANGENT;

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THENCE 81.76 FEET ALONG A CIRCULAR CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 68.91 FEET, A CENTRAL ANGLE OF 67°58'27", A CHORD BEARING OF N 59°49'59" W AND A DISTANCE OF 77.05 FEET;
THENCE S 86°10'47" W, 23.26 FEET TO A POINT OF TANGENT;
THENCE 55.21 FEET ALONG A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 69.15 FEET, A CENTRAL ANGLE OF 45°44'34", A CHORD BEARING OF N 70°56'56" W AND A CHORD DISTANCE OF 53.75 FEET;
THENCE N 48°04'38" W, 27.63 FEET TO A POINT OF TANGENT;
THENCE 82.02 FEET ALONG A CIRCULAR CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 422.17 FEET, A CENTRAL ANGLE OF 11°07'54", A CHORD BEARING OF N 53°38'35" W AND A CHORD DISTANCE OF 81.89 FEET;
THENCE N 59°12'33" W, 29.17 FEET TO A POINT OF TANGENT;
THENCE 43.66 FEET ALONG A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 120.77 FEET, A CENTRAL ANGLE OF 20°42'42", A CHORD BEARING OF N 48°51'12" W AND A CHORD DISTANCE OF 43.42 FEET;
THENCE N 38°29'51" W, 77.83 FEET TO A POINT OF TANGENT;
THENCE 96.14 FEET ALONG A CIRCULAR CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 771.36 FEET, A CENTRAL ANGLE OF 7°08'27", A CHORD BEARING OF N 42°04'04" W AND A CHORD DISTANCE OF 96.07 FEET;
THENCE N 45°38'18" W, 37.97 FEET TO A POINT OF TANGENT;
THENCE 116.26 FEET ALONG A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 159.65 FEET, A CENTRAL ANGLE OF 41°43'18", A CHORD BEARING OF N 24°46'39" W, AND A CHORD DISTANCE OF 113.70 FEET;
THENCE N 3°55'00" W, 25.21 FEET TO A POINT OF TANGENT;
THENCE 73.43 FEET ALONG A CIRCULAR CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 87.61 FEET, A CENTRAL ANGLE OF 48°01'37", A CHORD BEARING OF N 27°55'48" W AND A CHORD DISTANCE OF 71.30 FEET;
THENCE N 51°56'37", 61.30 FEET TO A POINT OF TANGENT;
THENCE 65.74 FEET ALONG A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 416.63 FEET, A CENTRAL ANGLE OF 9°02'28", A CHORD BEARING OF N 47°25'23" W AND A CHORD DISTANCE OF 65.68 FEET;
THENCE N 42°54'09" W, 54.95 FEET TO A POINT OF TANGENT;
THENCE 76.74 FEET ALONG A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 127.49 FEET, A CENTRAL ANGLE OF 34°29'07", A CHORD BEARING OF N 25°39'35" W AND A CHORD DISTANCE OF 75.58 FEET;
THENCE N 8°25'01" W, 33.82 FEET TO A POINT OF TANGENT;
THENCE 51.25 FEET ALONG A CIRCULAR CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 35.10 FEET, A CENTRAL ANGLE OF 83°38'40", A CHORD BEARING OF N 50°14'21" W AND A CHORD DISTANCE OF 46.81 FEET;
THENCE S 87°56'19" W, 7.31 FEET TO A POINT OF TANGENT;

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THENCE 105.90 FEET ALONG A CIRCULAR CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 259.41 FEET, A CENTRAL ANGLE OF 23°23'27", A CHORD BEARING OF N 80°21'58" W AND A CHORD DISTANCE OF 105.17 FEET;

THENCE N 68°40'14" W, 55.49 FEET TO A POINT OF TANGENT;
THENCE 22.24 FEET ALONG A CIRCULAR CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS OF 48.62 FEET, A CENTRAL ANGLE OF 26°12'39", A CHORD BEARING OF N 81°46'33" W AND A CHORD DISTANCE OF 22.05 FEET;
THENCE S 85°07'07" W, 126.27 FEET TO THE SOUTHWESTERLY BOUNDARY LINE OF TRACT 'C' OF SAID PLAT AND THE TERMINUS FOR THIS CENTERLINE DESCRIPTION.

THE LINES 7.5 FEET TO EITHER SIDE OF THE ABOVE DESCRIBED CENTERLINE BEING LENGTHENED OR SHORTENED TO INTERSECT THE SAID SOUTHERLY BOUNDARY LINE OF LOT 1 AND THE SAID SOUTHWESTERLY BOUNDARY LINE OF TRACT 'C'.

STATE OF IDAHO
COUNTY OF KOOTENAI
AT THE REQUEST OF

Steven Wetzel

2003 JAN 22 P 4:38

DANIEL J. ENGLISH *JB*

DEPUTY

FEES

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