

ESMT-2022-0136 Chukar Ridge Subdivision

**EMERGENCY ACCESS EASEMENT AGREEMENT**

THIS AGREEMENT made this 5th day of April, 2022, between **Joint School District No. 2**, doing business as the **West Ada School District**, an Idaho school district and body corporate and politic of the State of Idaho, hereinafter referred to as "Grantor," the **City of Meridian**, an Idaho municipal corporation, hereinafter referred to as "Grantee" and **AMH Development, LLC**, a Delaware Limited Liability Company, whose address is 1961 N. Locust Grove Rd, Meridian, Idaho 83646, hereinafter referred to as "AMH");

WITNESSETH:

WHEREAS, Grantor is the owner of real property on portions of which the City of Meridian is requiring an access area for emergency vehicles as a condition of development approval for an adjacent parcel owned by AMH; and

WHEREAS, Grantor desires to grant an easement for ingress and egress across those certain parts of Grantor's property defined herein to allow for emergency vehicle access; and

WHEREAS, AMH shall construct certain 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 non-exclusive easement and right-of-way on, over, across and through Grantor's property with the free right of access to such property at any and all times and for the purpose of allowing egress and ingress to and from the property for emergency vehicle access. Pursuant to the International Fire Code, this access road constructed by AMH shall be constructed of an improved surface capable of supporting 75,000 GVW;

TO HAVE AND TO HOLD, said easement unto said Grantee, its successors and assigns forever;

THE GRANTOR, hereby covenants and agrees that no structures shall be constructed, erected, or placed upon the surface of the easement area that would materially impair the normal operation or use of the easement area for emergency vehicular purposes. No parking of vehicles within the easement area shall be permitted. 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 AMH shall repair and maintain the access roadway 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 the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the parties have hereunto subscribed their signatures the day and year first hereinabove written.

GRANTOR: JOINT SCHOOL DISTRICT NO. 2 DBA WEST ADA SCHOOL DISTRICT

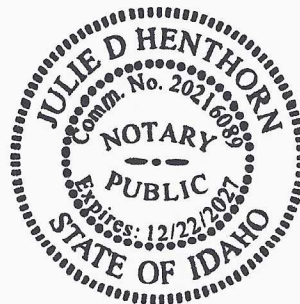
  
By: Dr. Derek Bub  
Its: Superintendent

STATE OF IDAHO            )  
  ) ss.  
County of Ada             )

On this 18 day of January, 2022, before me, a Notary Public, in and for said State, personally appeared Dr. Derek Bub, known or identified to me to be the Superintendent of Joint School District No. 2, doing business as the West Ada School District, whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of said school district.

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

Julie D. Henthorn  
NOTARY PUBLIC FOR IDAHO  
Residing at Meridian, ID  
My Commission Expires 12/22/2027



GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor 4-5-2022

Attest by Chris Johnson, City Clerk 4-5-2022

STATE OF IDAHO, )  
  ) ss.  
County of Ada        )

This record was acknowledged before me on 4-5-22 (date) by Robert E. Simison and Chris Johnson on behalf of the City of Meridian, in their capacities as Mayor and City Clerk, respectively.

\_\_\_\_\_  
Notary Signature  
My Commission Expires: \_\_\_\_\_

AMH: AMH DEVELOPMENT, LLC

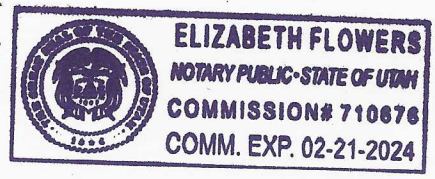
[Signature]  
By: BRENT JOHNSON  
Its: VP - LAND DEV.

Utah  
STATE OF ~~IDAHO~~  
Salt Lake ss.  
County of ~~Ada~~ )

On this 14 day of February, 2022, before me, a Notary Public, personally Brent Johnson, known or identified to me to be the V.P. Land dev of AMH Development, LLC, a Delaware Limited Liability Company, whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same on behalf of said corporation.

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

[Signature]  
NOTARY PUBLIC FOR ~~IDAHO~~ Utah  
Residing at Cottonwood Heights UT  
My Commission Expires 02/21/2024







December 21, 2021  
Project No.: 119192

EXHIBIT "A"  
**EMERGENCY ACCESS EASEMENT**  
WEST ADA SCHOOL DISTRICT  
CITY OF MERIDIAN

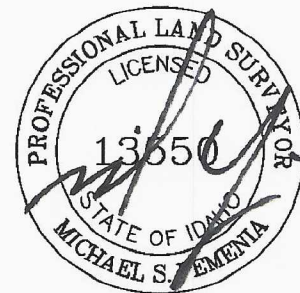
An emergency access easement located in a portion of Parcel "A", as same is shown on Record of Survey No. 13067, recorded under Instrument No. 2021-141377, records of Ada County, being situate in the southwest quarter of the northeast quarter of Section 32, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

**COMMENCING** at the North One Quarter corner of said Section 32 (from which the Center One Quarter corner of said Section 32 bears South 00°36'39" West, 2631.90 feet distant); Thence South 00°36'39" West, 2003.87 feet on the north/south mid-section line of said Section 32; Thence South 89°23'21" East, 1322.43 feet to the northeast corner of said Parcel "A", said point being the **POINT OF BEGINNING**:

Thence on the easterly boundary of said Parcel "A", South 00° 34' 42" West, 69.49 feet;  
Thence leaving said easterly boundary, South 65° 08' 30" West, 13.29 feet;  
Thence North 00° 34' 42" East, 69.82 feet to a point on the northerly boundary of said Parcel "A";  
Thence on said northerly boundary, North 66° 26' 46" East, 13.15 feet to the **POINT OF BEGINNING**.

The above-described easement contains 836 Ft<sup>2</sup>, more or less.

PREPARED BY:  
**The Land Group, Inc.**  
Michael Femenia, PLS



12/21/2021

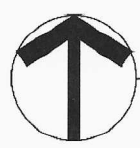
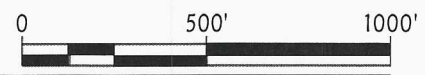
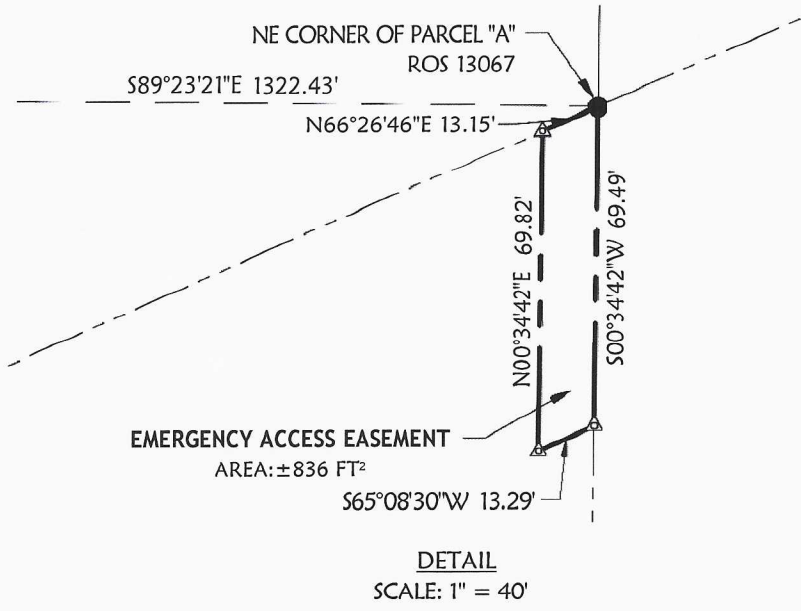
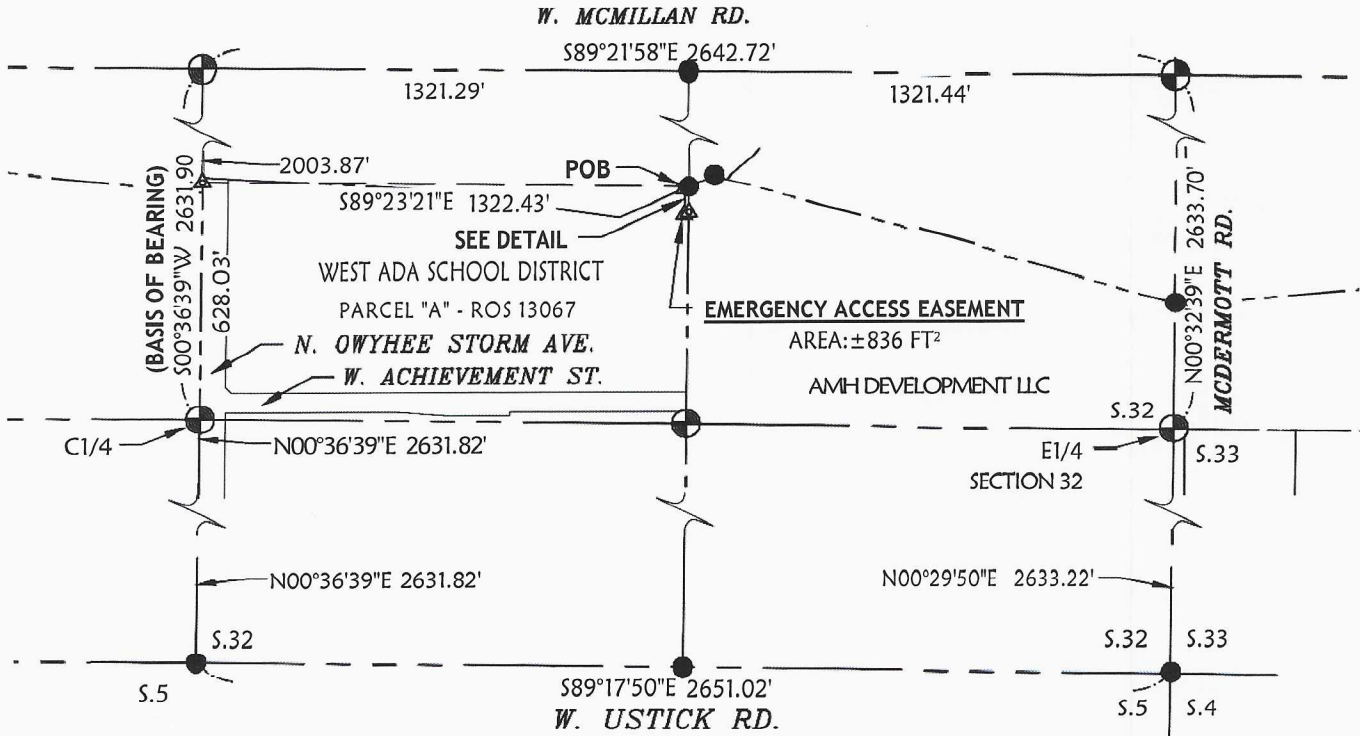


Exhibit "B"

Horizontal Scale: 1" = 500'

Project No.: 119192  
Date of Issuance: December 21, 2021



Emergency Access Easement  
West Ada School District  
City of Meridian

File Location: g:\2019\119192\land\survey\exhibits\ex-211221 emergency access easement - west ada school.dfd\ld.com 119192.dwg  
Last Plotted By: jlan in loc  
Date Plotted: Tuesday, December 21, 2021 at 02:44 PM



December 21, 2021  
Project No.: 119192

EXHIBIT "A"  
**EMERGENCY ACCESS EASEMENT**  
AMH DEVELOPMENT LLC  
CITY OF MERIDIAN

An emergency access easement located in a portion southeast quarter of the northeast quarter of Section 31, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

**COMMENCING** at the north quarter corner of said Section 32 (from which point the center quarter corner of said Section 32 bears South 00°36'39" West, 2631.90 feet distant); Thence South 00°36'39" West, 2003.87 feet on the north/south mid-section line of said Section 32; Thence South 89°23'21" East, 1322.43 feet to the northeast corner of Parcel "A", as same is shown on Record of Survey No. 13067, recorded under Instrument No. 2021-141377, records of Ada County, said point being the **POINT OF BEGINNING**:

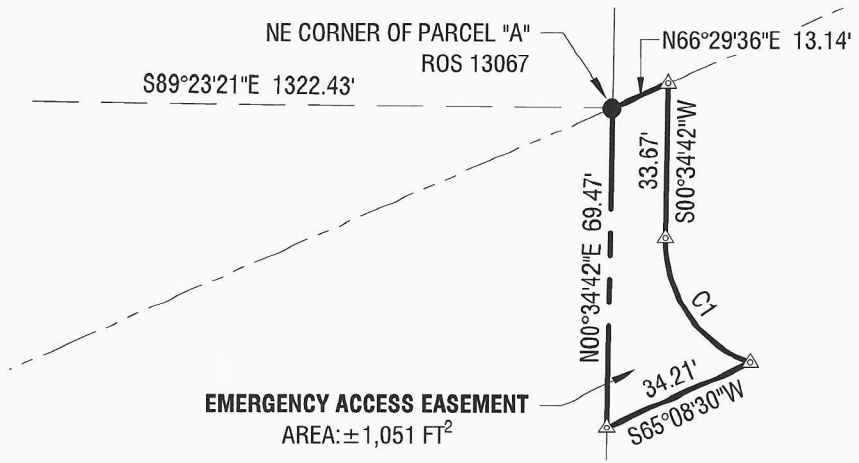
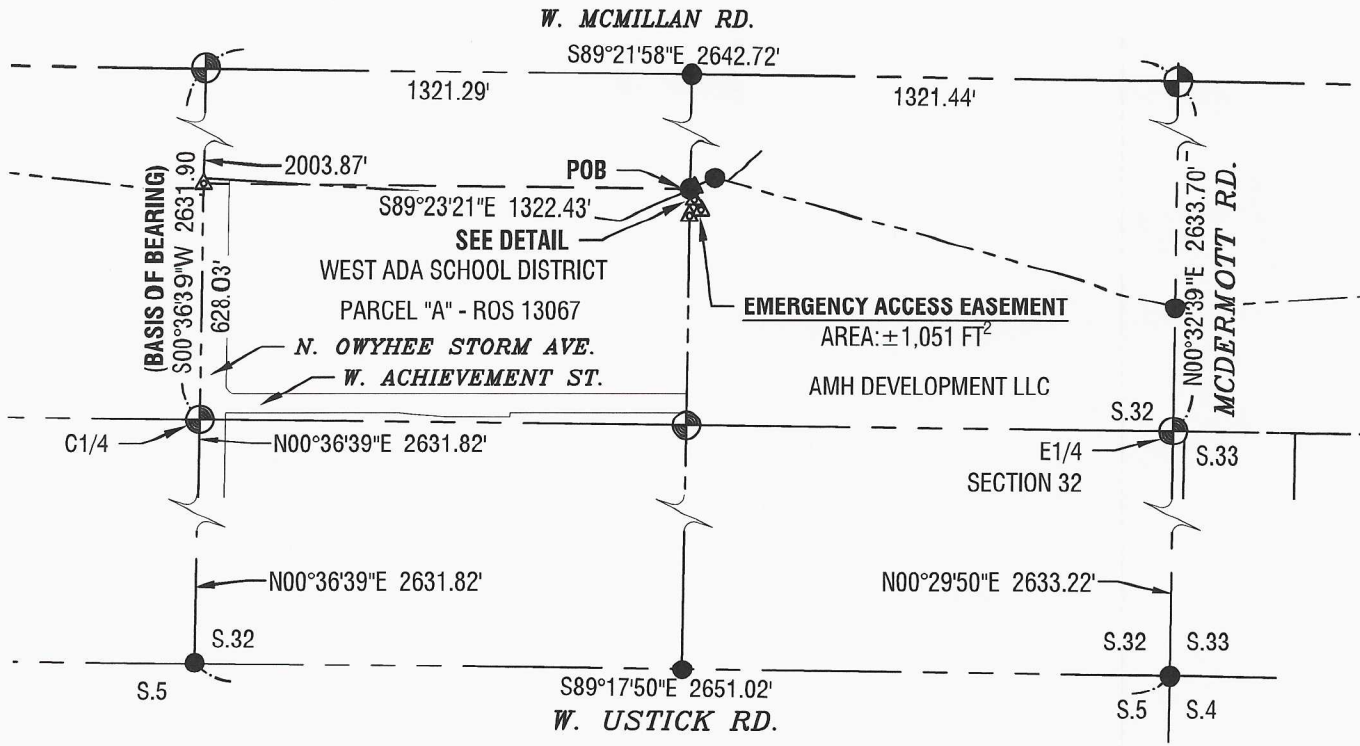
Thence North 66° 29' 36" East, 13.14 feet;  
Thence South 00° 34' 42" West, 33.67 feet to a point of curvature;  
Thence 34.71 feet on the arc of a curve to the left, having a radius of 28.00 feet, a central angle of 71° 01' 16", and whose long chord bears South 34° 55' 56" East, 32.53 feet;  
Thence South 65° 08' 30" West, 34.21 feet to a point on the easterly boundary of said Parcel "A";  
Thence on said easterly boundary line, North 00° 34' 42" East, 69.47 feet to the **POINT OF BEGINNING**.

The above described easement contains 1,051 Ft<sup>2</sup>, more or less.

PREPARED BY:  
**The Land Group, Inc.**  
Michael Femenia, PLS

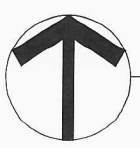
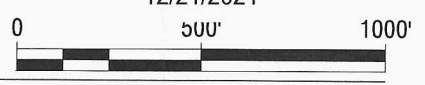


12/21/2021



DETAIL  
SCALE: 1" = 40'

Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	34.71'	28.00'	71°01'16"	S34°55'56"E	32.53'



**Exhibit "B"**

Horizontal Scale: 1" = 500'

Project No.: 119192  
Date of Issuance: December 21, 2021



**Emergency Access Easement  
AMH Development LLC  
City of Meridian**

File Location: g:\2019\1192\cad\survey\exhibits\ex.21.1221 emergency access easement - amh development llc.com 119192.dwg  
Last Plotted By: dan infonso  
Date Plotted: Tuesday, December 21, 2021 at 02:40 PM





December 21, 2021  
Project No.: 119192

EXHIBIT "A"  
**EMERGENCY ACCESS EASEMENT**  
WEST ADA SCHOOL DISTRICT  
CITY OF MERIDIAN

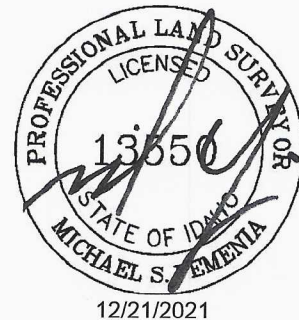
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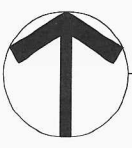
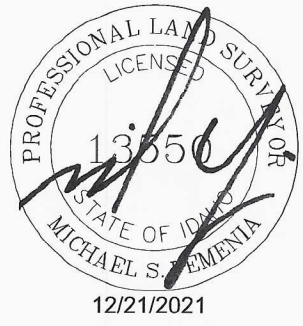
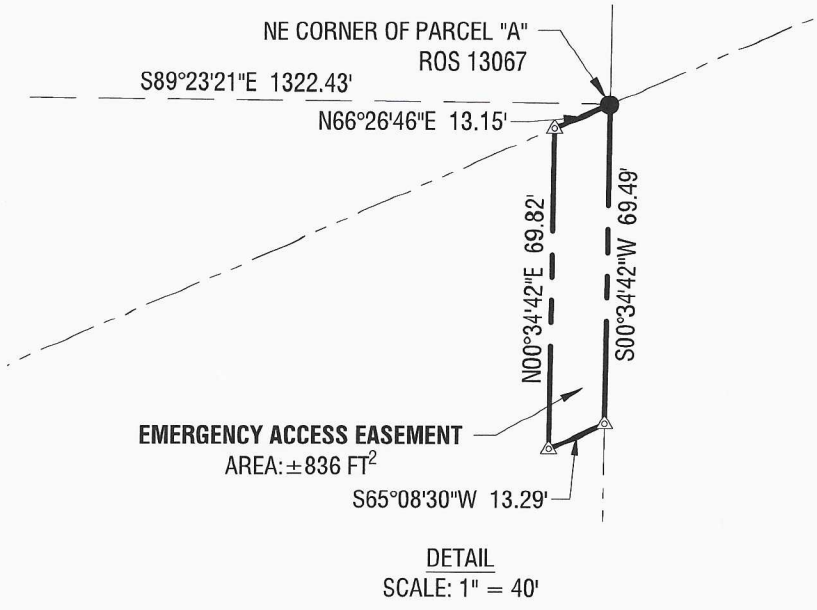
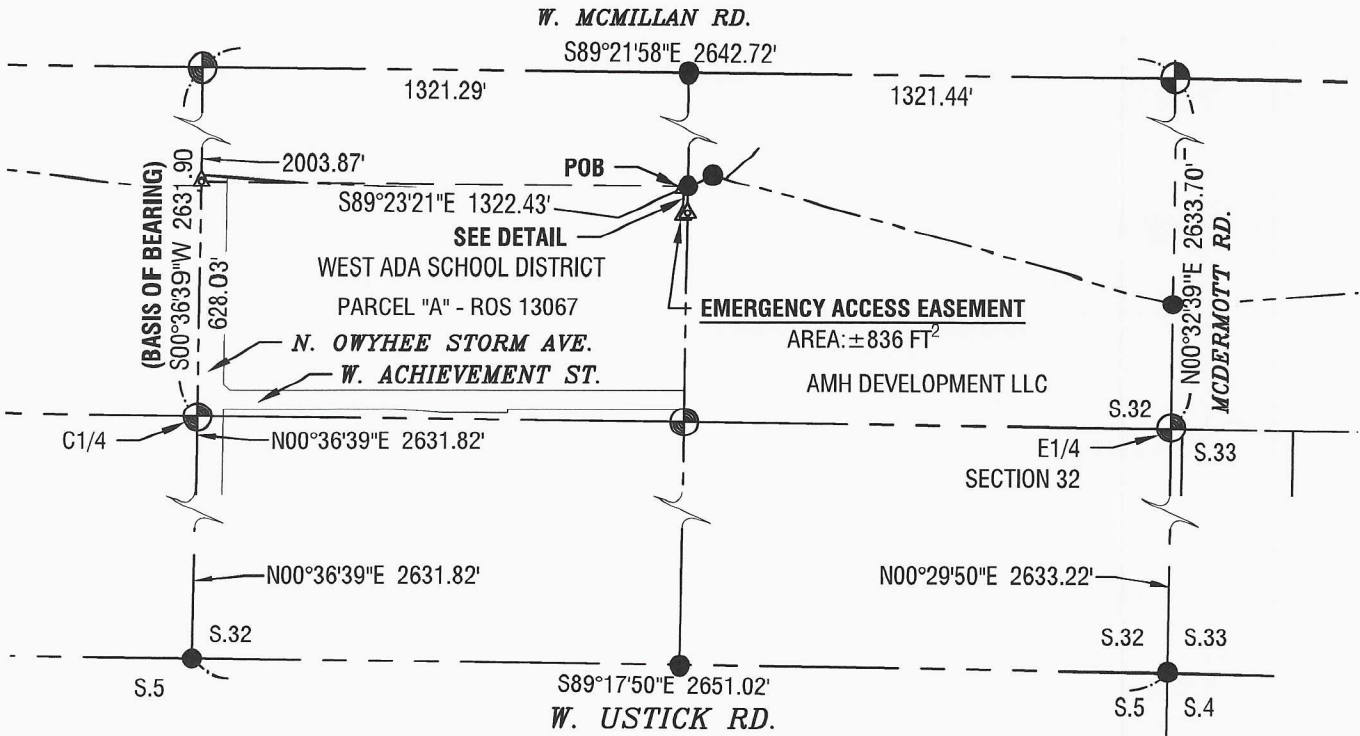
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**Exhibit "B"**

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**Emergency Access Easement  
West Ada School District  
City of Meridian**

File Location: p:\2019\119192\cad\survey\exhibits\ex 21 1221 emergency access easement - west ada school district.com 119192.dwg  
Last Plotted By: dan infoes  
Date Plotted: Tuesday, December 21 2021 at 02:44 PM