

ESMT-2022-0119 Topgolf

WATER MAIN EASEMENT

THIS Easement Agreement, made this 5th day of April, 20 22 between BVABC Eagle View, LLC (“Grantor”), and the City of Meridian, an Idaho Municipal Corporation (“Grantee”);

WHEREAS, the Grantor desires to provide a water main right-of-way across the premises and property hereinafter particularly bounded and described; and

WHEREAS, the water main is to be provided for through underground pipelines to be constructed by others; and

WHEREAS, it will be necessary to maintain and service said pipelines from time to time by the Grantee;

NOW, THEREFORE, in consideration of the benefits to be received by the Grantor, and other good and valuable consideration, the Grantor does hereby give, grant and convey unto the Grantee the right-of-way for an easement for the operation and maintenance of water mains over and across the following described property:

(SEE ATTACHED EXHIBITS A and B)

The easement hereby granted is for the purpose of construction and operation of water mains and their allied facilities, together with their maintenance, repair and replacement at the convenience of the Grantee, with the free right of access to such facilities at any and all times.

TO HAVE AND TO HOLD, the said easement and right-of-way unto the said Grantee, it's successors and assigns forever.

IT IS EXPRESSLY UNDERSTOOD AND AGREED, by and between the parties hereto, that after making repairs or performing other maintenance, Grantee shall restore the area of the easement and adjacent property to that existent prior to undertaking such repairs and maintenance. However, Grantee shall not be responsible for repairing, replacing or restoring anything placed within the area described in this easement that was placed there in violation of this easement.

THE GRANTOR covenants and agrees that Grantor 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.

THE GRANTOR covenants and agrees with the Grantee that should any part of the right-of-way and easement hereby granted shall become part of, or lie within the boundaries of any

Date: February 1, 2022
Project: ID-1755-1905
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EXHIBIT A

This Easement is situated in a portion of the N.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Section 16, Township 3 North, Range 1 East of the Boise Meridian, City of Meridian, Ada County Idaho, also being in Lot 20, Block 1 of Rackham Subdivision, Book 120, pages 18,582 to 18,588, records of Ada County and more particularly described as follows:

- 1) **COMMENCING** at the northwest corner of said Lot 20; thence along the north boundary of said Lot 20, also being along the southerly right-of-way of Interstate 84 as shown on the Plan and Profile plan set of Interstate Highway No. 84, F.A.P. No. IR-84-1(12) 45 on file in the office of the Idaho Transportation Department,
- 2) N.82°19'49"E., 87.76 feet to the northeast corner of Utility Easement, instrument # 2020-117724, records of Ada county, thence leaving the north boundary of said Lot 20 and following along the east boundary of said instrument # 2020-117724,
- 3) S.06°50'41"E., 102.29 feet; thence continuing,
- 4) N.75°17'31"E., 12.18 feet; thence continuing,
- 5) S.14°42'29"E., 20.00 feet to the **POINT OF BEGINNING**; thence,
- 6) S.14°42'29"E., 19.00 feet; thence,
- 7) S.75°17'31"W., 11.83 feet to a point on the east boundary of said instrument # 2020-117724; thence along said east boundary,
- 8) N.14°42'29"W., 19.00 feet; thence continuing,
- 9) N.75°17'31"E., 11.83 feet to the **POINT OF BEGINNING**.

EXHIBIT B
DOMESTIC WATER EASEMENT
RACKHAM SUBDIVISION



(NOT TO SCALE)



LOT 7 BLOCK 1
RACKHAM SUBDIVISION,
BOOK 120, PAGE 18582

LOT 20, BLOCK 1
RACKHAM SUBDIVISION,
BOOK 120, PAGE 18582

EXISTING UTILITY
EASEMENT, INST#
2020-117724

LEGEND:



CALCULATED POINT



LOT CORNER



LOT LINE



EXISTING UTILITY EASEMENT

P.O.B.

POINT OF BEGINNING

P.O.C.

POINT OF COMMENCEMENT



WATER VALVE EASEMENT

1-84

N82°19'49"E 87.76'

P.O.C.

S6°50'41"E 102.29'

N75°17'31"E
12.18'

S14°42'29"E
20.00'

N75°17'31"E
11.83'

P.O.B.

S14°42'29"E
19.00'

N14°42'29"W
19.00'

S75°17'31"W
11.83'

H:\2019\ID-1755-1905 BVA - Eagle View Common & Public Improve\Project Data\04 Survey\Descriptions\EXHIBIT B WATER VALVE EASEMENT.dwg Ron Wright 2/1/2022 11:41 AM

HORROCKS
ENGINEERS

2775 West Navigator Dr., Suite 210
Meridian, ID 83642

(208) 895-2520
www.horrocks.com

EXHIBIT B

LOT 20 RACKHAM SUBDIVISION, ADA COUNTY

DRAWING INFO

DATE 02/1/22

SCALE N.T.S.

REV # DATE

00 2-1-2022

*SEE 2nd SHEET FOR LISTING

PROJ. NO: ID-1755



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