

ESMT-2022-0145 Apex Northwest Subdivision No. 1
Sanitary Sewer and Water Main Easement No. 2

SANITARY SEWER AND WATER MAIN EASEMENT

THIS Easement Agreement, made this 5th day of April 2022 between Smith Brighton Inc. (“Grantor”) and the City of Meridian, an Idaho Municipal Corporation (“Grantee”);

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

WHEREAS, the sanitary sewer and water 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 sanitary sewer and 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 sanitary sewer and 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.

November 18, 2021
Project No.: 20-155
Apex Northwest Subdivision
City of Meridian Sewer and Water Easement
Legal Description

Exhibit A

Parcels of land for a City of Meridian sewer and water easement being a portion of the Southeast 1/4 of the Southeast 1/4 of Section 31, Township 3 North, Range 1 East, B.M., City of Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at an aluminum cap marking the Southeast corner of said Section 31, which bears S00°32'22"E a distance of 2,700.07 feet from a brass cap marking the East 1/4 corner of said Section 31, thence following the easterly line of the Southeast 1/4 of said Section 31, N00°32'22"W a distance of 723.01 feet;

Thence leaving said easterly line, S89°27'38"W a distance of 339.16 feet to **POINT OF BEGINNING 1.**

Thence S00°17'39"W a distance of 24.50 feet;

Thence N89°42'21"W a distance of 37.00 feet;

Thence N00°17'39"E a distance of 24.50 feet to a point hereinafter referred to as Point "A";

Thence S89°42'21"E a distance of 37.00 feet to **POINT OF BEGINNING 1.**

Said parcel contains 907 square feet.

TOGETHER WITH:

Commencing at a point previously referred to as Point "A", thence N88°46'07"W a distance of 272.56 feet to **POINT OF BEGINNING 2.**

Thence S00°16'52"W a distance of 19.96 feet;

Thence N89°43'08"W a distance of 31.00 feet;

Thence N00°16'52"E a distance of 19.97 feet to a point hereinafter referred to as Point "B";

Thence S89°42'12"E a distance of 31.00 feet to **POINT OF BEGINNING 2.**

Said parcel contains 619 square feet.

TOGETHER WITH:

Commencing at a point previously referred to as Point "B", thence N89°49'00"W a distance of 259.00 feet to **POINT OF BEGINNING 3.**

Thence S00°16'52"W a distance of 21.50 feet;

Thence N89°43'08"W a distance of 37.00 feet;

Thence N00°16'52"E a distance of 21.51 feet to a point hereinafter referred to as Point "C";

Thence S89°42'19"E a distance of 37.00 feet to **POINT OF BEGINNING 3.**

Said parcel contains 796 square feet.

TOGETHER WITH:

Commencing at a point previously referred to as Point "C", thence N89°35'47"W a distance of 263.00 feet to **POINT OF BEGINNING 4.**

Thence S00°16'53"W a distance of 21.45 feet;

Thence N89°43'08"W a distance of 37.50 feet;

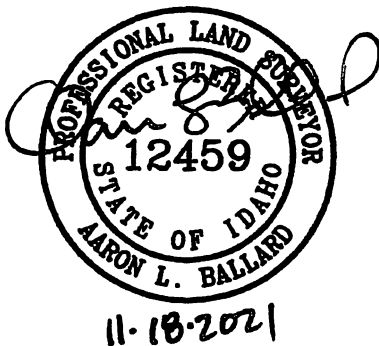
Thence N00°16'52"E a distance of 21.47 feet;

Thence S89°40'48"E a distance of 37.50 feet to **POINT OF BEGINNING 4.**

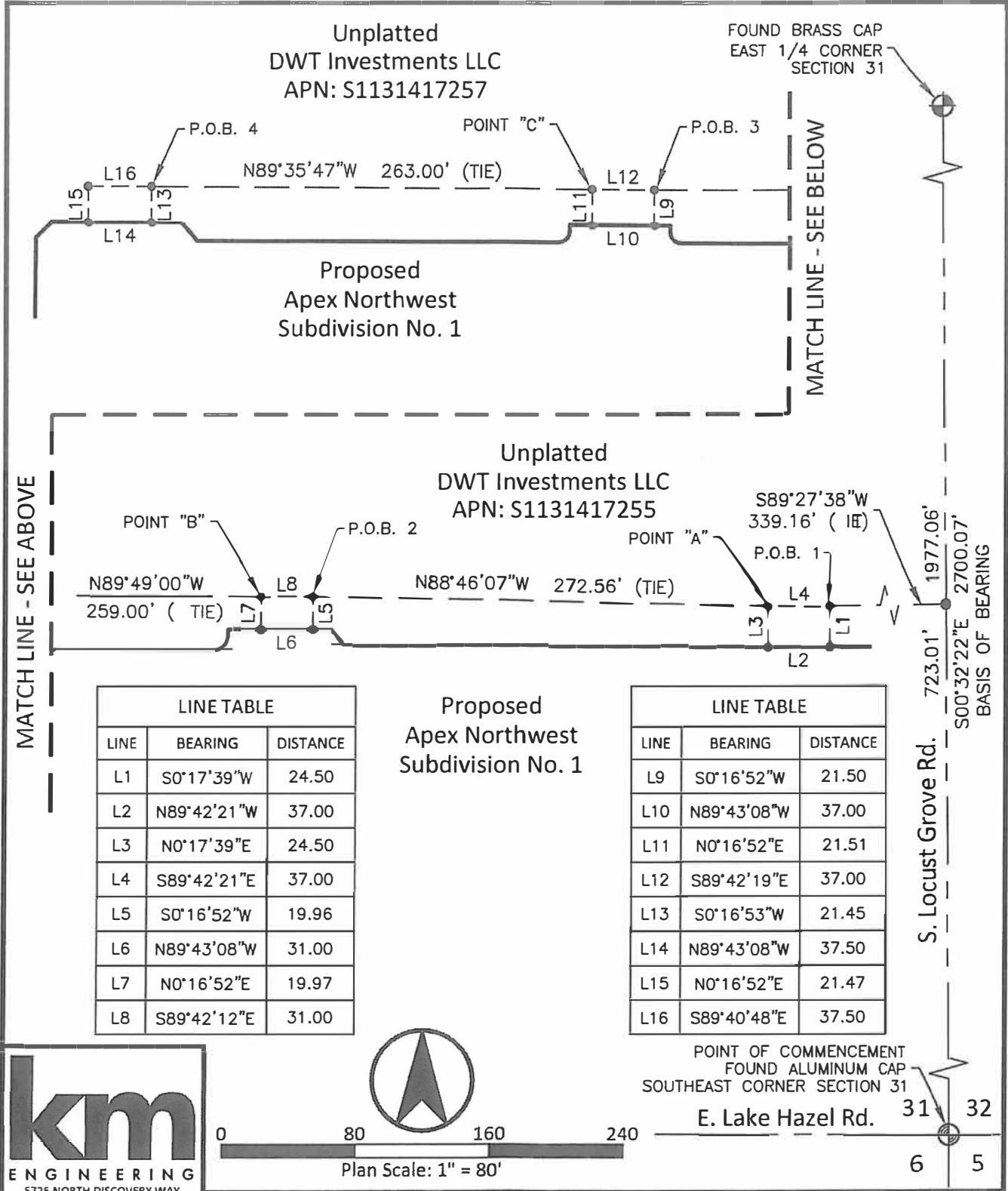
Said parcel contains 805 square feet.

Said description contains a total of 3,127 square feet, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

Attached hereto is Exhibit B and by this reference is made a part hereof.



C:\USERS\CDRAPER_KM\ENGINEERING\KM GENERAL - REMOTE WORK\PROJECT\20-155\CAD\SURVEY\EXHIBITS\211110 SEWER AND WATER EASEMENT DWT INVESTMENTS LLC 20-155.DWG, CRAIG DRAPER, 11/12/2021, DWG TO PDF.PC3, 08.5X1.1 P [PDF]



LINE TABLE

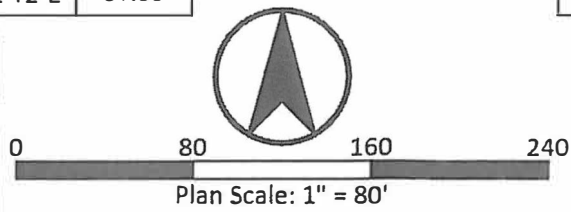
LINE	BEARING	DISTANCE
L1	S0°17'39"W	24.50
L2	N89°42'21"W	37.00
L3	N0°17'39"E	24.50
L4	S89°42'21"E	37.00
L5	S0°16'52"W	19.96
L6	N89°43'08"W	31.00
L7	N0°16'52"E	19.97
L8	S89°42'12"E	31.00

**Proposed
Apex Northwest
Subdivision No. 1**

LINE TABLE

LINE	BEARING	DISTANCE
L9	S0°16'52"W	21.50
L10	N89°43'08"W	37.00
L11	N0°16'52"E	21.51
L12	S89°42'19"E	37.00
L13	S0°16'53"W	21.45
L14	N89°43'08"W	37.50
L15	N0°16'52"E	21.47
L16	S89°40'48"E	37.50

km
ENGINEERING
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6939
kmengllp.com



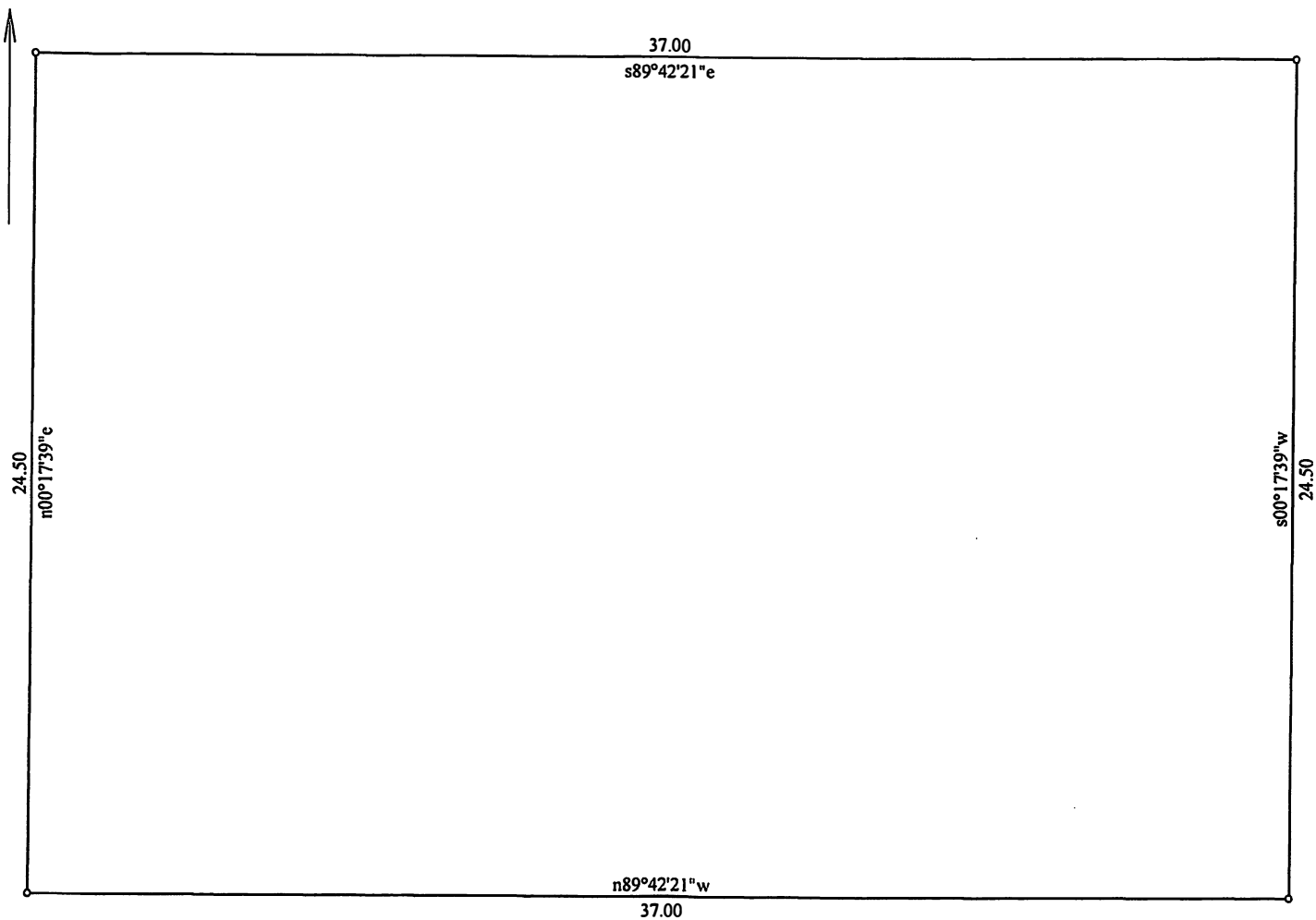
POINT OF COMMENCEMENT
FOUND ALUMINUM CAP
SOUTHEAST CORNER SECTION 31

E. Lake Hazel Rd. 31 32
6 5

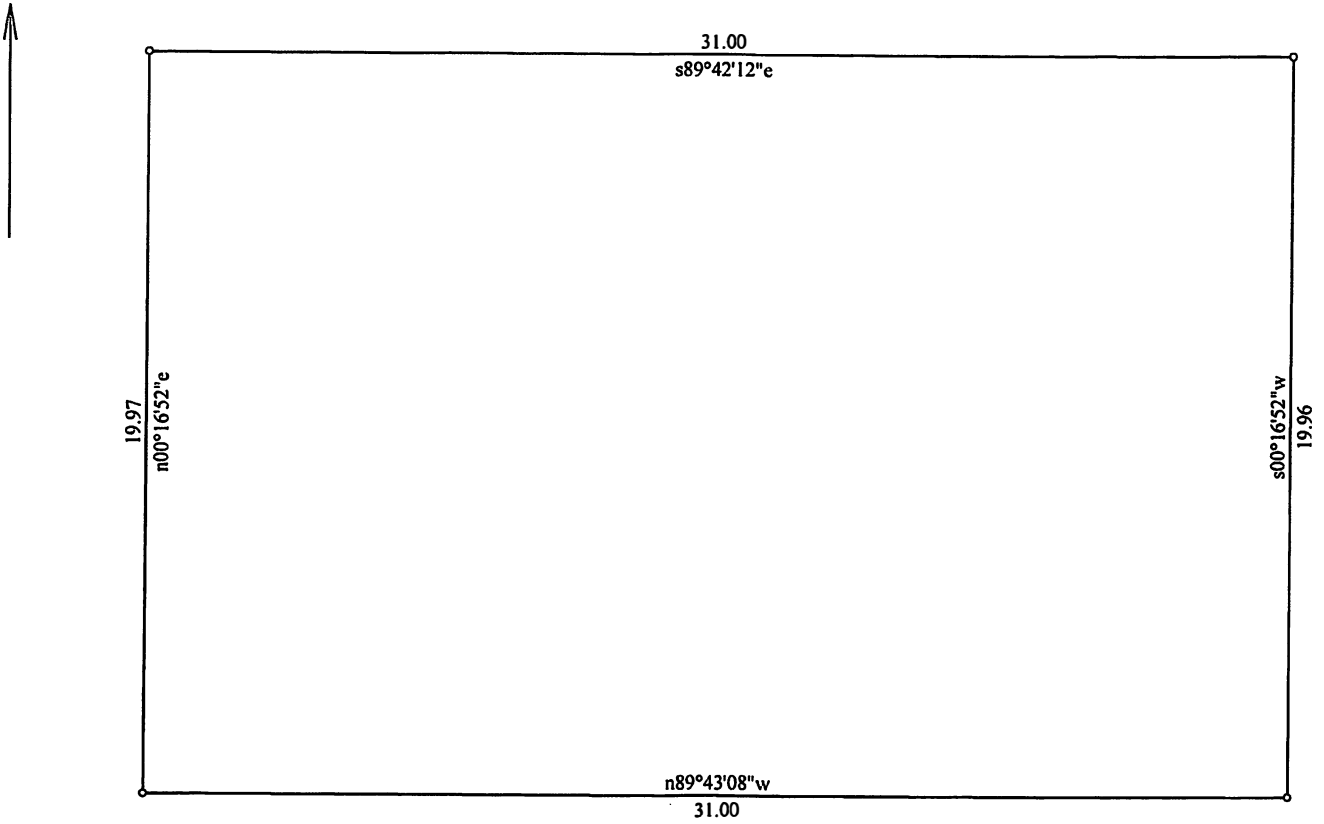
DATE: November 2021
PROJECT: 20-155
SHEET:
1 OF 1

Exhibit B
City of Meridian Sewer and Water Easement

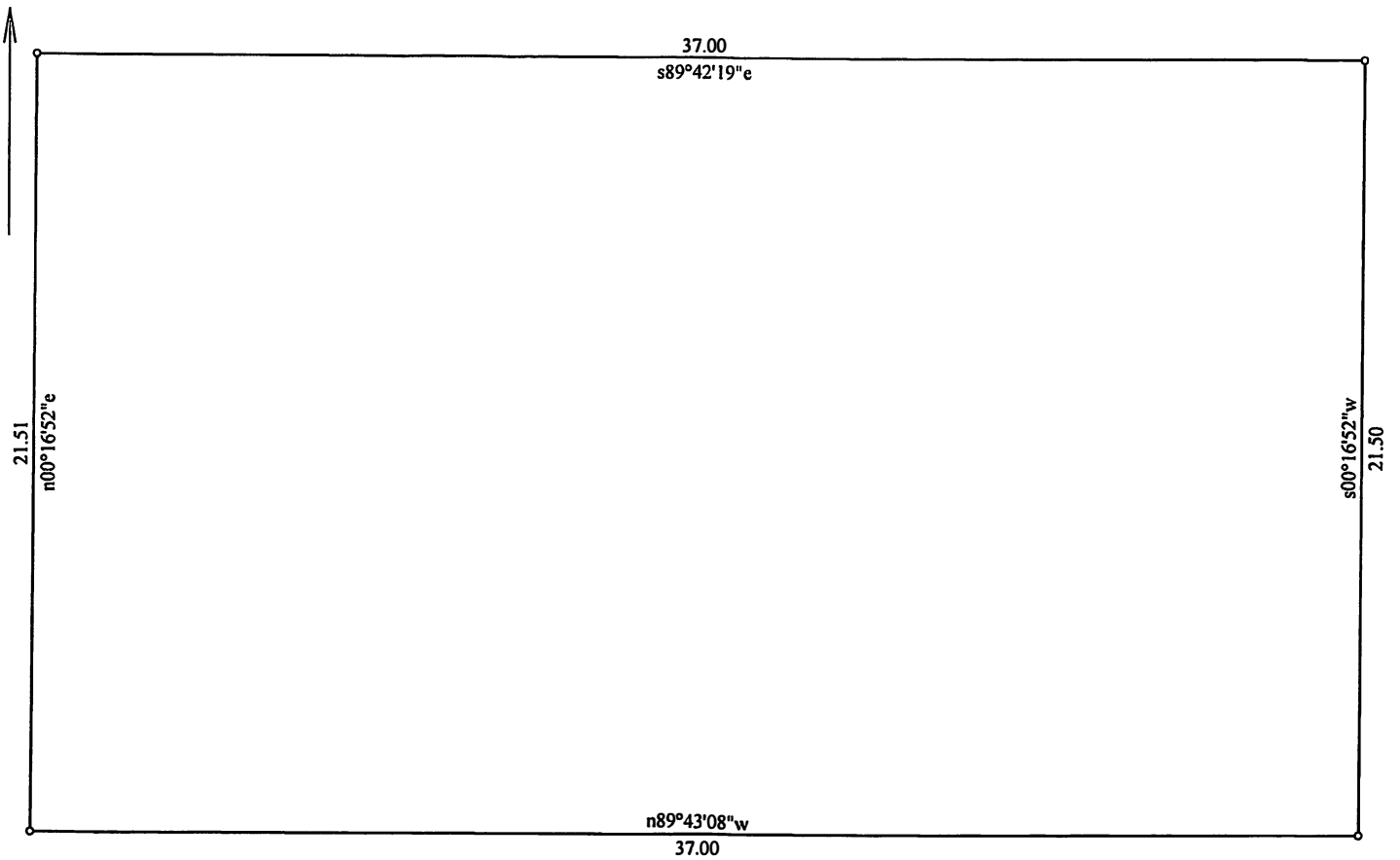
Apex Northwest Subdivision
SE1/4 SE1/4 Sec. 31, T3N., R1E., BM., City of Meridian, Ada County, Idaho



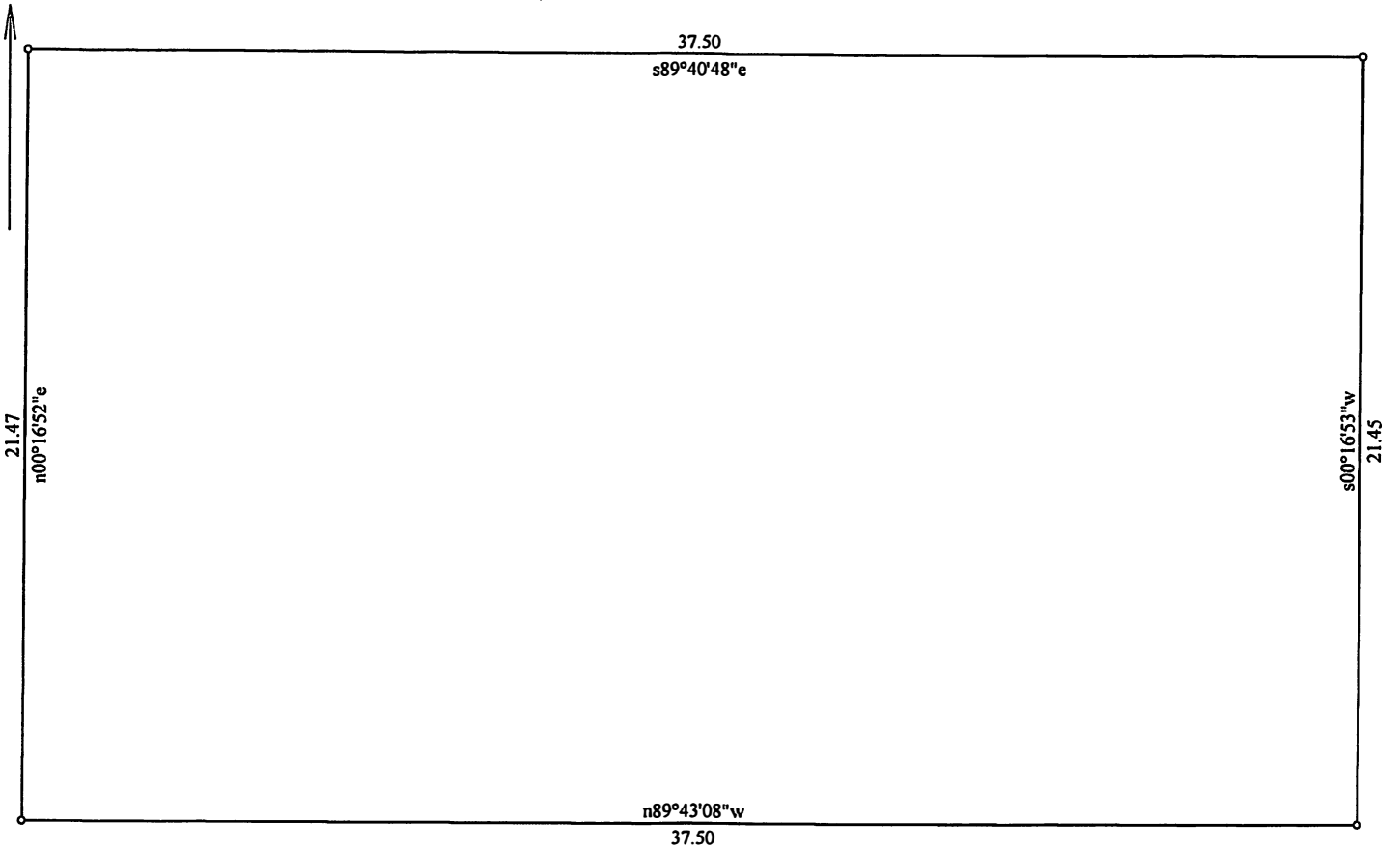
Title: Parcel 1 Meridian Sewer and Water Easement 20-155		Date: 11-12-2021
Scale: 1 inch = 5 feet	File:	
Tract 1: 0.021 Acres: 907 Sq Feet: Closure = n00.0000e 0.00 Feet: Precision >1/9999999: Perimeter = 123 Feet		
001=s00.1739w 24.50	003=n00.1739e 24.50	
002=n89.4221w 37.00	004=s89.4221e 37.00	



Title: Parcel 2 Meridian Sewer and Water Easement 20-155		Date: 11-12-2021
Scale: 1 inch = 5 feet	File:	
Tract 1: 0.014 Acres: 619 Sq Feet: Closure = s00.1423w 0.00 Feet: Precision =1/64365: Perimeter = 102 Feet		
001=s00.1652w 19.96	003=n00.1652e 19.97	
002=n89.4308w 31.00	004=s89.4212e 31.00	



Title: Parcel 3 Meridian Sewer and Water Easement 20-155		Date: 11-12-2021
Scale: 1 inch = 5 feet	File:	
Tract 1: 0.018 Acres: 796 Sq Feet: Closure = s00.1354w 0.00 Feet: Precision =1/96676: Perimeter = 117 Feet		
001=s00.1652w 21.50	003=n00.1652e 21.51	
002=n89.4308w 37.00	004=s89.4219e 37.00	



Title: Parcel 4 Meridian Sewer and Water Easement 20-155

Date: 11-12-2021

Scale: 1 inch = 5 feet

File:

Tract 1: 0.018 Acres: 805 Sq Feet: Closure = n01.2752e 0.01 Feet: Precision = 1/21621: Perimeter = 118 Feet

001=s00.1653w 21.45

003=n00.1652e 21.47

002=n89.4308w 37.50

004=s89.4048e 37.50