

Project Name (Subdivision):

Gander Creek South No 1 offsite

Sanitary Sewer Easement Number: 1

Identify this Easement by sequential number if Project contains more than one sanitary sewer easement.
(See Instructions for additional information).

SANITARY SEWER EASEMENT

THIS Easement Agreement, made this ____ day of _____, 20____ between Heartland Townhomes Property Management LLC ("Grantor"), and the City of Meridian, an Idaho Municipal Corporation ("Grantee");

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

WHEREAS, the sanitary sewer 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 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 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 public street, then, to such extent, such right-of-way and 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 Grantor is lawfully seized and possessed of the aforementioned and described tract of land, and that Grantor has a good and lawful right to convey said easement, and that Grantor will warrant and forever defend the title and quiet possession thereof against the lawful claims of all persons whomsoever.

THE COVENANTS OF GRANTOR made herein shall be binding upon Grantor's successors, assigns, heirs, personal representatives, purchasers, or transferees of any kind.

IN WITNESS WHEREOF, the said parties of the first part have hereunto subscribed their signatures the day and year first herein above written.

GRANTOR:

John Lande

STATE OF IDAHO)

) ss

County of Ada)

This record was acknowledged before me on 1/13/21 (date) by John A Lande Jr (name of individual), [complete the following if signing in a representative capacity, or strike the following if signing in an individual capacity] on behalf of Heartland Townhomes Property Mgmt LLC (name of entity on behalf of whom record was executed), in the following representative capacity: Authorized Agent (type of authority such as officer or trustee)

(stamp)



[Signature]
Notary Signature
My Commission Expires: 9/6/2025

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor

Attest by Chris Johnson, City Clerk

STATE OF IDAHO,)

: ss.

County of Ada)

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

(stamp)

Notary Signature

My Commission Expires: _____

EXHIBIT A
Description for
Sanitary Sewer Easement
Gander Creek South Subdivision No. 1
December 31, 2019

A parcel of land located in the Northeast 1/4 of Section 32, T.4N., R.1W., B.M., Ada County, Idaho more particularly described as follows:

Commencing at an aluminum cap monument marking the North 1/4 corner of said Section 32 from which an aluminum cap monument marking the Center 1/4 corner of said Section 32 bears, South 0°36'35" West, 2631.97 feet; thence South 52°09'07" East, 1,745.57 feet to the **REAL POINT OF BEGINNING "A"**.

thence South 76°04'01" East, 204.67 feet;

thence South 13°55'59" West, 20.00 feet;

thence North 76°04'01" West, 204.38 feet;

thence North 13°07'05" East, 20.00 feet to the **REAL POINT OF BEGINNING "A"**.

Containing 4,091 square feet or 0.09 acres, more or less.

AND

Commencing at an aluminum cap monument marking the North 1/4 corner of said Section 32 from which an aluminum cap monument marking the Center 1/4 corner of said Section 32 bears, South 0°36'35" West, 2631.97 feet; thence South 40°04'32" East, 1,718.35 feet to the **REAL POINT OF BEGINNING "B"**.

thence North 82°23'16" East, 138.76 feet;

thence South 07°36'44" East, 20.00 feet;

thence South 82°23'16" West, 138.76 feet;

thence North 07°36'44" West, 20.00 feet to the **REAL POINT OF BEGINNING "B"**.

Containing 2,775 square feet or 0.06 acres, more or less.

End of Description.



29 1/4
32

EXHIBIT B

BASIS OF BEARING
S0°36'35"W 2631.97'

S52°09'07"E 1745.57'
S40°04'32"E 1718.35'

FIVE MILE CREEK

N13°07'05"E
20.00'

GANDER CREEK SOUTH NO. 1
SUBDIVISION

REAL POINT
OF BEGINNING "A"

204.67'
S76°04'01"E

N76°04'01"W
204.38'

S13°55'59"W
20.00'

UNPLATTED

REAL POINT
OF BEGINNING "B"

N7°36'44"W
20.00'

138.76'
N82°23'16"E
S82°23'16"W
138.76'

S7°36'44"E
20.00'

C 1/4



SCALE: 1" = 100'

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IDAHO
SURVEY
GROUP, LLC

9955 W. EMERALD ST.
BOISE, IDAHO 83704
(208) 846-8570

EXHIBIT DRAWING FOR
SANITARY SEWER EASEMENTS
GANDER CREEK SOUTH SUBDIVISION NO. 1

LOCATED IN THE NE 1/4 OF SECTION 32, T.4N., R.1W., B.M.,
CITY OF MERIDIAN, ADA COUNTY, IDAHO

JOB NO.
19-310

SHEET NO.
1

DWG. DATE
12/31/2019