

ESMT-2022-0113 Apex Southeast Subdivision No. 1  
Sanitary Sewer Easement No. 2

**SANITARY SEWER EASEMENT**

THIS Easement Agreement, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ between Smith Brighton Inc. (“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.





January 21, 2022  
APEX Southeast Subdivision No. 1  
Project No. 20-124  
Legal Description  
City of Meridian Sewer Easement

**Exhibit A**

A parcel of land for a sewer easement situated in a portion of the Northwest 1/4 of the Northwest 1/4 of Section 5, Township 2 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at a brass cap marking the Northwest corner of said Section 5, which bears N00°04'35"W a distance of 2,671.16 feet from a brass cap marking the West 1/4 corner of said Section 5, thence following the westerly line of said Section 5, S00°04'35"E a distance of 1,259.39 feet;

Thence leaving said westerly line, N89°53'42"E a distance of 202.90 feet to the **POINT OF BEGINNING**.

Thence N00°04'35"W a distance of 147.80 feet;

Thence 31.86 feet along the arc of a circular curve to the left, said curve having a radius of 80.00 feet, a delta angle of 22°49'15", a chord bearing of S52°14'34"E and a chord distance of 31.65 feet;

Thence S00°04'35"E a distance of 128.38 feet;

Thence S89°53'42"W a distance of 25.00 feet to the **POINT OF BEGINNING**.

Said easement description contains 3,419 Sq. Ft., more or less, and is subject to any existing easements and/or rights-of-way of record or implied.

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

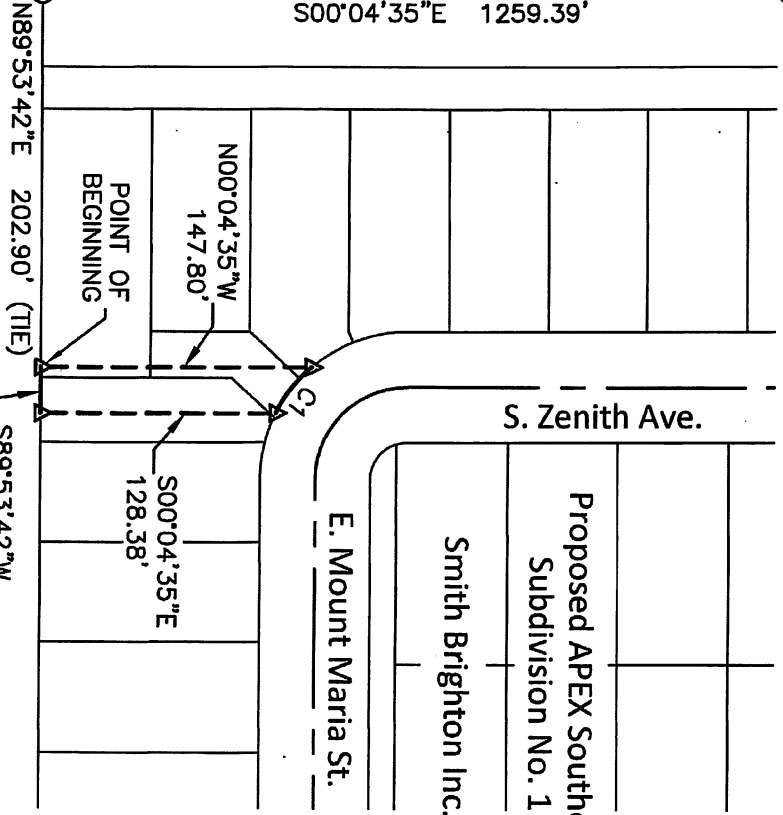


31 32 E. Lake Hazel Rd.  
 POINT OF COMMENCEMENT  
 NW 1/4 SEC 5  
 FOUND BRASS CAP

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	80.00'	31.86'	22°49'15"	S52°14'34"E	31.65'

S. Locust Grove Rd.  
 300°04'35"E 1259.39'

BASIS OF BEARING  
 N00°04'35"W 2671.16'



W 1/4 COR SEC 5  
 FOUND BRASS CAP

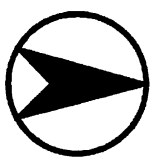
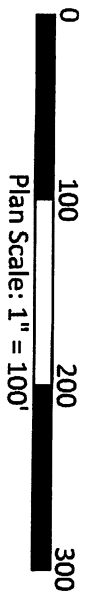
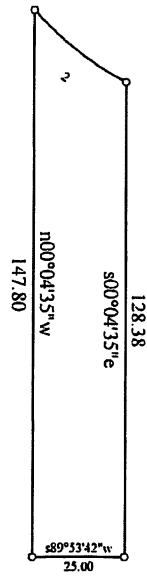


EXHIBIT B - CITY OF MERIDIAN SEWER EASEMENT  
 APEX SOUTHEAST SUBDIVISION No. 1

Situated in a portion of the NW 1/4 of the NW 1/4 of  
 Section 5, T2N, R1E, B.M., City of Meridian, Ada County, Idaho

DATE: January 2022  
 PROJECT: 20-124  
 SHEET: 1 OF 1

**Km**  
 ENGINEERING  
 5725 NORTH DISCOVERY WAY  
 BOISE, IDAHO 83713  
 PHONE (208) 639-6939  
 kmengr@ip.com



Title: Sewer Easement - Smith Brighton Inc.		Date: 01-21-2022
Scale: 1 inch = 50 feet	File:	
Tract 1: 0.078 Acres: 3419 Sq Feet: Closure = n00.2159e 0.01 Feet: Precision = 1/42039: Perimeter = 333 Feet		
001=n00.0435w 147.80 002: Lt, R=80.00, Delta=22.4915 Bng=s52.1434e, Chd=31.65	003=s00.0435e 128.38	004=s89.5342w 25.00