

ESMT-2022-0257 Settler's Crossing Utility Alignment
Sanitary Sewer and Water Main Easement

SANITARY SEWER AND WATER MAIN EASEMENT

THIS Easement Agreement, made this 6th day of December 2022 between
Settlers Crossing, LLC (“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, its 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.

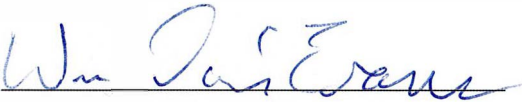
THE GRANTOR covenants and agrees with the Grantee that should any part of the right-of-way and easement hereby granted shall become part of, or lie within the boundaries of any public street, then, to such extent, such right-of-way and easement hereby granted which lies within such boundary thereof or 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.

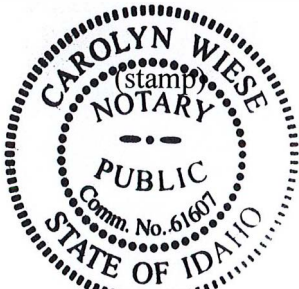
GRANTOR:



W.m. David Evans, Manager
Settlers Crossing, LLC

STATE OF IDAHO)
) ss
County of Ada)

This record was acknowledged before me on Nov 9th (date) by Wm. David Evans (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 Settlers Crossing LLC (name of entity on behalf of whom record was executed), in the following representative capacity: manager (type of authority such as officer or trustee)



Carolyn Wiese
Notary Signature
My Commission Expires: May 14, 2025

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor 12-6-2022

Attest by Chris Johnson, City Clerk 12-6-2022

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

This record was acknowledged before me on 12-6-2022 (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: 3-28-2028



November 3, 2022
Project No.: 220506

**EXHIBIT "A"
WATER AND SEWER EASEMENT**

An easement located in Lots 51 and 52, Block 7 of Sundance Subdivision No. 5, as filed in Book 98, Page 12523-12526 of Plats, in Government Lot 4 of Section 31, Township 4 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described as follows:

BEGINNING at the southeast corner of said Lot 51, Block 7, from which the northeast corner of said Lot 51, bears S.00°00'00"W., 145.31 feet; thence, along the south line of said Lot 51,

- 1) N.90°00'00"W., 68.82 feet; thence,
- 2) N.48°25'18"E., 34.66 feet; thence,
- 3) N.90°00'00"E., 55.24 feet; thence,
- 4) N.00°00'00"E., 77.06 feet; thence,
- 5) S.89°34'42"E., 24.00 feet; thence,
- 6) S.00°00'00"E., 99.89 feet; thence
- 7) N.90°00'00"W., 36.34 feet to the **POINT OF BEGINNING**.

CONTAINING: 3,968 square feet, more or less.

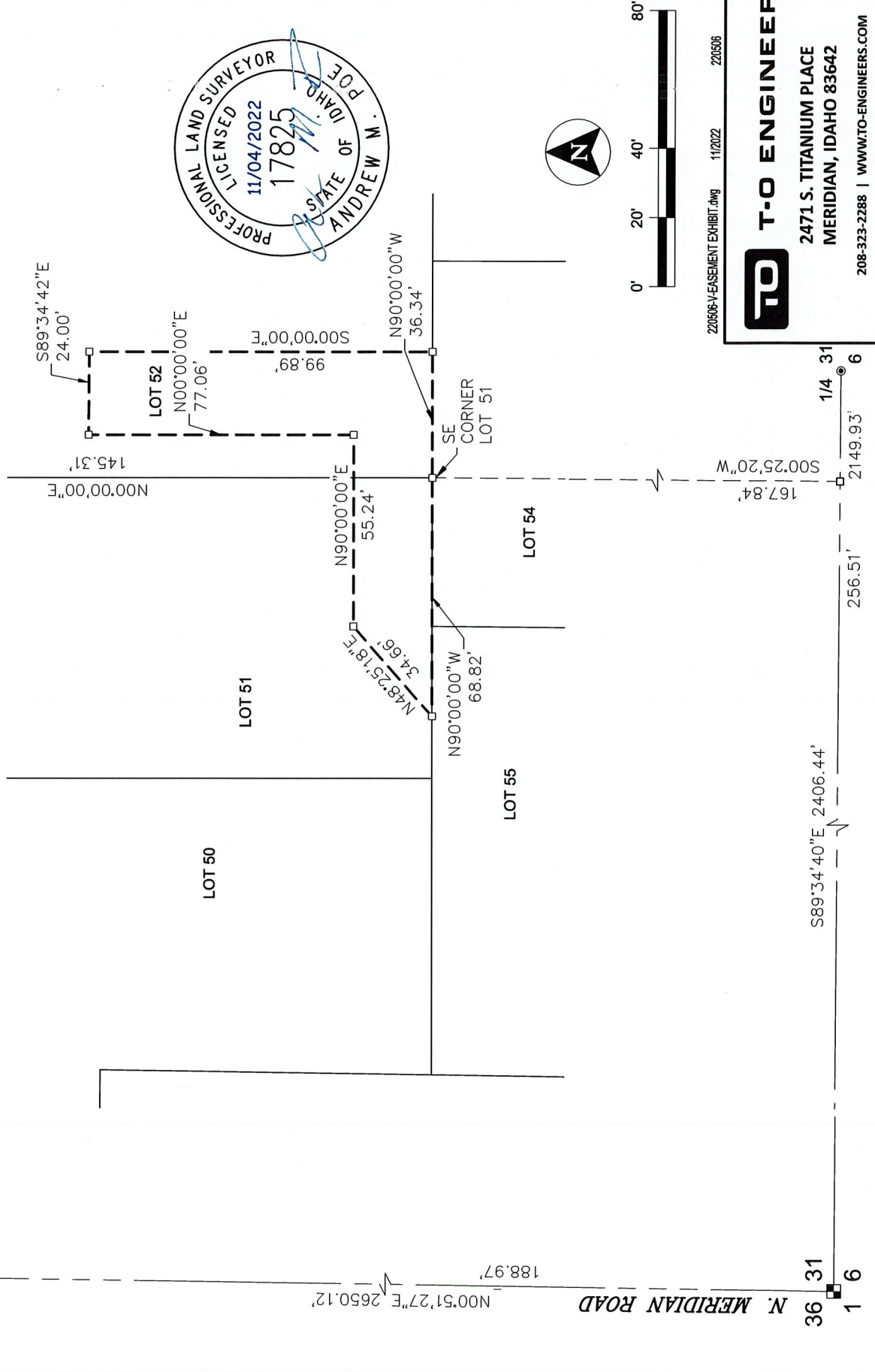


EXHIBIT "B"

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EXHIBIT SKETCH-WATER AND SEWER EASEMENT

LOCATED IN LOTS 51 AND 52, BLOCK 7 OF SUNDANCE SUBDIVISION NO. 5, AS FILED IN BOOK 98,
PAGE 12523-12526 OF PLATS, IN GOVERNMENT LOT 4 SECTION 31,
TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO
2022



1/4 36 31

188.97' N00°51'27"E 2650.12'

N. MERIDIAN ROAD

36 31 1 6

S89°34'40"E 2406.44'

256.51'

167.84' S00°25'20"W

1/4 31 6

145.31' N00°00'00"E

LOT 52

N00°00'00"E 77.06'

LOT 51

N90°00'00"E 55.24'

N90°00'00"W 68.82'

N48°25'18"E 34.66'

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S00°00'00"E 99.88'

N00°00'00"E 77.06'

N90°00'00"W 36.34'

SE CORNER LOT 51

LOT 54

LOT 55



220506-V-EASEMENT EXHIBIT.dwg 11/2022 220506

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 MERIDIAN, IDAHO 83642
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