

ESMT-2022-0193 Aviator Springs Subdivision  
Emergency Access Easement Agreement No. 1

## EMERGENCY ACCESS EASEMENT AGREEMENT

THIS AGREEMENT made this 19th day of July, 2022, between **Joint School District No. 2**, doing business as the **West Ada School District**, an Idaho school district and body corporate and politic of the State of Idaho, hereinafter referred to as “Grantor,” **City of Meridian**, an Idaho municipal corporation, hereinafter referred to as “Grantee,” and **AG EHC II (LEN) MULTI STATE 2, LLC**, a Delaware limited liability company, whose address is 245 Park Avenue, 26<sup>th</sup> Floor, New York, NY, hereinafter referred to as “AG EHC II”;

### WITNESSETH:

WHEREAS, Grantor is the owner of real property on portions of which the City of Meridian is requiring an access area for emergency vehicles as a condition of development approval for an adjacent parcel owned by AG EHC II; and

WHEREAS, Grantor desires to grant an easement for ingress and egress across those certain parts of Grantor’s property defined herein to allow for emergency vehicle access; and

WHEREAS, AG EHC II shall construct certain improvements upon a portion of the easement described on Exhibit “C” and depicted on Exhibit “D”; and

NOW, THEREFORE, the parties agree as follows:

THE GRANTOR does hereby grant unto the Grantee an easement on the following property, described on Exhibit “A”, and depicted on Exhibit “B” attached hereto and incorporated herein.

THE EASEMENT hereby granted is for the purpose of providing a non-exclusive easement and right-of-way on, over, across and through Grantor’s property with the free right of access to such property at any and all times and for the purpose of allowing egress and ingress to and from the property for emergency vehicle access. Pursuant to the International Fire Code, this access road shall be constructed of an improved surface capable of supporting 75,000 GVW.

TO HAVE AND TO HOLD, said easement unto said Grantee, its successors and assigns forever;

THE GRANTOR, hereby covenants and agrees that no structures shall be constructed, erected, or placed upon the surface of the easement area that would materially impair the normal operation or use of the easement area for emergency vehicular purposes. No parking of vehicles within the easement area shall be permitted. THE GRANTOR hereby covenants and agrees that it 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.

IT IS EXPRESSLY UNDERSTOOD AND AGREED, by and between the parties hereto, that AG EHC II shall construct, repair, and maintain the access roadway improvements upon the portion of the easement described on Exhibit "C" and depicted on Exhibit "D".

THE GRANTOR hereby covenants and agrees with the Grantee that should any part of the easement hereby granted become part of, or lie within the boundaries of any public street, then, to such extent such 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 it is lawfully seized and possessed of the aforementioned and described tract of land, and that it has a good and lawful right to convey said easement, and that it will warrant and forever defend the title and quiet possession thereof against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the parties have hereunto subscribed their signatures the day and year first hereinabove written.

GRANTOR: JOINT SCHOOL DISTRICT NO. 2 DBA WEST ADA SCHOOL DISTRICT



By: Dr. Derek Bub  
Its: Superintendent

STATE OF IDAHO            )  
  ) ss.  
County of Ada             )

On this 15 day of June, 2022, before me, a Notary Public, in and for said State, personally appeared Dr. Derek Bub, known or identified to me to be the Superintendent of Joint School District No. 2, doing business as the West Ada School District, whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of said school district.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Gloria Rolland  
NOTARY PUBLIC FOR IDAHO  
Residing at Meridian, Idaho  
My Commission Expires 2/18/2027



AG EHC II: AG EHC II (LEN) MULTI STATE 2, LLC

*Steven S. Benson*

By: Steven S. Benson

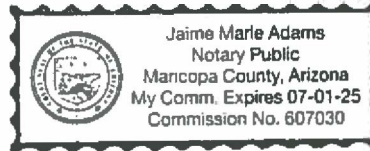
Its: Manager of Essential Housing Asset Management, LLC,  
an Arizona limited liability company, the Authorized  
Agent of AG EHC II (LEN) Multi State 2, LLC

STATE OF ARIZONA     )  
  ) ss.  
County of Maricopa     )

On this 27 day of May, 2022, before me, a Notary Public in and for said State, personally appeared Steven S. Benson, known or identified to me to be the Manager of Essential Housing Asset Management, LLC, Authorized Agent of AG EHC II (LEN) MULTI STATE 2, LLC, a Delaware limited liability company, whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same on behalf of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

*Jaimie Marie Adams*  
NOTARY PUBLIC FOR ARIZONA  
Residing at Maricopa County  
My Commission Expires 07/01/2025







May 24, 2022  
Project No.: 120194

**EXHIBIT "A"**

**OWYHEE HIGH SCHOOL/AVIATOR SPRINGS SUBDIVISION  
EMERGENCY ACCESS EASEMENT**

An easement located in the northeast quarter of the southeast quarter of Section 32, Township 4 North, Range 1 West, Boise Meridian, Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the Southeast corner of Section 32 of said Township 4 North, Range 1 West;  
Thence North 89° 17' 50" West, 1325.58 feet on the south line of said Section 32 to the One Sixteenth Section Corner;  
Thence North 00° 33' 19" East, 1316.18 feet on the north-south one sixteenth line of the Southeast Quarter of said Section 32 to the Southeast one sixteenth corner;  
Thence North 00° 33' 19" East, 174.03 feet on said north-south one sixteenth line to the POINT OF BEGINNING;

Thence North 89° 19' 39" West, a distance of 41.45 feet to a point of curve;  
Thence 44.31 feet on the arc of a curve to the left, said curve having a radius of 28.00 feet, a central angle of 90° 40' 21", a chord bearing of South 45° 20' 10" West, and a chord length of 39.83 feet;  
Thence South 00° 00' 00" West, a distance of 145.90 feet to a point of curve;  
Thence 75.40 feet on the arc of a curve to the right, said curve having a radius of 48.00 feet, a central angle of 90° 00' 00", a chord bearing of South 45° 00' 00" West, and a chord length of 67.88 feet;  
Thence North 90° 00' 00" West, a distance of 339.67 feet to a point of curve;  
Thence 22.06 feet on the arc of a curve to the left, said curve having a radius of 28.00 feet, a central angle of 45° 08' 49", a chord bearing of South 67° 25' 36" West, and a chord length of 21.50 feet;  
Thence South 44° 51' 11" West, a distance of 83.24 feet to a point of curve;  
Thence 65.40 feet on the arc of a curve to the right, said curve having a radius of 83.00 feet, a central angle of 45° 08' 49", a chord bearing of South 67° 25' 36" West, and a chord length of 63.72 feet;  
Thence North 90° 00' 00" West, a distance of 189.70 feet to a point of curve;  
Thence 32.39 feet on the arc of a curve to the left, said curve having a radius of 57.00 feet, a central angle of 32° 33' 25", a chord bearing of South 73° 43' 18" West, and a chord length of 31.95 feet to a point of compound curve;  
Thence 16.92 feet on the arc of a curve to the right, said curve having a radius of 83.00 feet, a central angle of 11° 40' 38", a chord bearing of South 63° 16' 54" West, and a chord length of 16.89 feet to a point of compound curve;  
Thence 30.25 feet on the arc of a curve to the right, said curve having a radius of 83.00 feet, a central angle of 20° 52' 47", a chord bearing of South 79° 33' 37" West, and a chord length of 30.08 feet;  
Thence North 90° 00' 00" West, a distance of 273.50 feet;

Thence North 85° 02' 45" West, a distance of 57.81 feet;  
 Thence North 89° 59' 35" West, a distance of 66.61 feet;  
 Thence North 00° 36' 39" East, a distance of 26.00 feet;  
 Thence North 90° 00' 00" East, a distance of 67.36 feet;  
 Thence South 85° 02' 45" East, a distance of 59.02 feet;  
 Thence North 89° 58' 46" East, a distance of 271.26 feet to a point of curve;  
 Thence 20.77 feet on the arc of a curve to the left, said curve having a radius of 57.00 feet, a central angle of 20° 52' 47", a chord bearing of North 79° 33' 37" East, and a chord length of 20.66 feet to a point of compound curve;  
 Thence 11.62 feet on the arc of a curve to the left, said curve having a radius of 57.00 feet, a central angle of 11° 40' 38", a chord bearing of North 63° 16' 54" East, and a chord length of 11.60 feet to a point of compound curve;  
 Thence 47.16 feet on the arc of a curve to the right, said curve having a radius of 83.00 feet, a central angle of 32° 33' 25", a chord bearing of North 73° 43' 18" East, and a chord length of 46.53 feet;  
 Thence North 90° 00' 00" East, a distance of 189.70 feet to a point of curve;  
 Thence 44.91 feet on the arc of a curve to the left, said curve having a radius of 57.00 feet, a central angle of 45° 08' 49", a chord bearing of North 67° 25' 36" East, and a chord length of 43.76 feet;  
 Thence North 44° 51' 11" East, a distance of 77.27 feet to a point of curve;  
 Thence 37.82 feet on the arc of a curve to the right, said curve having a radius of 48.00 feet, a central angle of 45° 08' 49", a chord bearing of North 67° 25' 36" East, and a chord length of 36.85 feet;  
 Thence North 90° 00' 00" East, a distance of 348.13 feet to a point of curve;  
 Thence 43.98 feet on the arc of a curve to the left, said curve having a radius of 28.00 feet, a central angle of 90° 00' 00", a chord bearing of North 45° 00' 00" East, and a chord length of 39.60 feet;  
 Thence North 00° 00' 00" East, a distance of 145.90 feet to a point of curve;  
 Thence 75.97 feet on the arc of a curve to the right, said curve having a radius of 48.00 feet, a central angle of 90° 41' 16", a chord bearing of North 45° 20' 38" East, and a chord length of 68.29 feet;  
 Thence South 89° 18' 44" East, a distance of 41.40 feet to a point on said north-south one sixteenth line;  
 Thence South 00° 33' 19" West, a distance of 20.00 feet on said north-south one sixteenth line to the POINT OF BEGINNING.

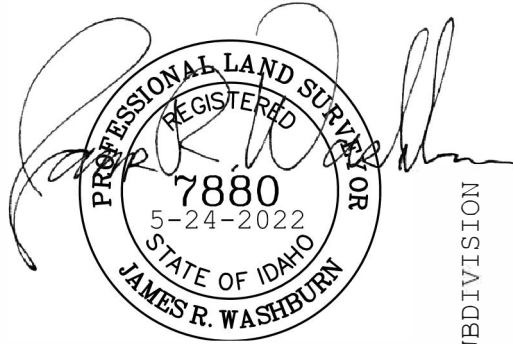
PREPARED BY:  
**The Land Group, Inc.**

James R. Washburn

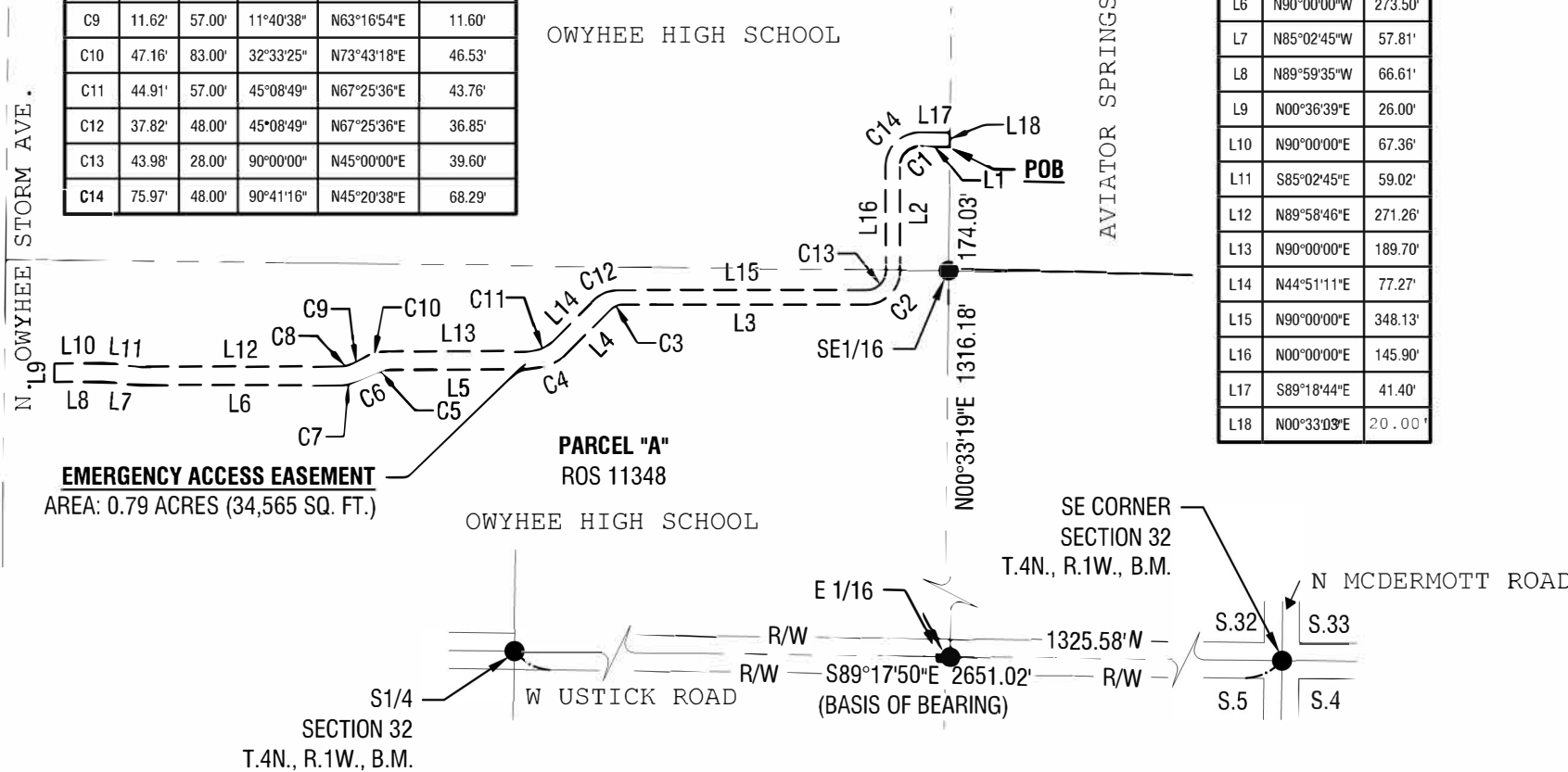


File Location: g:\2020\120194\roadsurvey\awlsb\ex.220500 emergency access easement\awlsb and obs.120194.dwg  
 Last Plotted By: alex major  
 Date Plotted: Tuesday, May 10, 2022 at 10:42 AM

Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	44.31'	28.00'	90°40'21"	S45°20'10"W	39.83'
C2	75.40'	48.00'	90°00'00"	S45°00'00"W	67.88'
C3	22.06'	28.00'	45°08'49"	S67°25'36"W	21.50'
C4	65.40'	83.00'	45°08'49"	S67°25'36"W	63.72'
C5	32.39'	57.00'	32°33'25"	S73°43'18"W	31.95'
C6	16.92'	83.00'	11°40'38"	S63°16'54"W	16.89'
C7	30.25'	83.00'	20°52'47"	S79°33'37"W	30.08'
C8	20.77'	57.00'	20°52'47"	N79°33'37"E	20.66'
C9	11.62'	57.00'	11°40'38"	N63°16'54"E	11.60'
C10	47.16'	83.00'	32°33'25"	N73°43'18"E	46.53'
C11	44.91'	57.00'	45°08'49"	N67°25'36"E	43.76'
C12	37.82'	48.00'	45°08'49"	N67°25'36"E	36.85'
C13	43.98'	28.00'	90°00'00"	N45°00'00"E	39.60'
C14	75.97'	48.00'	90°41'16"	N45°20'38"E	68.29'



Line Table		
LINE	BEARING	LENGTH
L1	N89°19'39"W	41.45'
L2	S00°00'00"E	145.90'
L3	N90°00'00"W	339.67'
L4	S44°51'11"W	83.24'
L5	N90°00'00"W	189.70'
L6	N90°00'00"W	273.50'
L7	N85°02'45"W	57.81'
L8	N89°59'35"W	66.61'
L9	N00°36'39"E	26.00'
L10	N90°00'00"E	67.36'
L11	S85°02'45"E	59.02'
L12	N89°58'46"E	271.26'
L13	N90°00'00"E	189.70'
L14	N44°51'11"E	77.27'
L15	N90°00'00"E	348.13'
L16	N00°00'00"E	145.90'
L17	S89°18'44"E	41.40'
L18	N00°33'03"E	20.00'



**Exhibit "B"**

Horizontal Scale: 1" = 250'

Project No.: 120194  
 Date of Issuance: May 10, 2022



**Emergency Access Easement  
 Aviator Springs Subdivision  
 West Ada School District**



March 31, 2022  
Project No.: 120194

**EXHIBIT "C"**

WEST ADA SCHOOL DISTRICT  
EMERGENCY ACCESS EASEMENT

An easement located in a portion of Parcel "A" as shown on Record of Survey Number 11348, recorded as Instrument Number 2018-036119, Ada County Records, situate in a portion of the East One Half of Section 32, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the South Quarter Corner of Section 32 of said Township 4 North, Range 1 West, (from which the Center Quarter Corner of said Section 32 bears North 00°36'39" East, 2631.82 feet distant); Thence North 00°36'39" East, 1285.38 feet on the north-south mid-section line of said Section 32; Thence South 89°23'21" East, 1204.27 feet to the POINT OF BEGINNING:

Thence North 44° 33' 40" East, 40.00 feet to a point on the north line of the Southwest Quarter of the Southeast Quarter of said Section 32;  
Thence North 00° 41' 21" East, 146.00 feet to a point of curve;  
Thence 83.25 feet on the arc of a curve to the right, having a radius of 53.00 feet, a central angle of 90° 00' 02", and whose long chord bears North 45° 40' 25" East, 74.95 feet;  
Thence South 89° 18' 44" East, 38.67 feet to a point on the east line of said Parcel "A";  
Thence on said east line, South 00° 33' 03" West, 30.00 feet;  
Thence leaving said east line, North 89° 18' 44" West, 38.73 feet to a point of curve;  
Thence 36.15 feet on the arc of a curve to the left, having a radius of 23.00 feet, a central angle of 90° 02' 31", and whose long chord bears South 45° 40' 25" West, 32.54 feet;  
Thence South 00° 41' 21" West, 174.14 feet;  
Thence North 90° 00' 00" West, 57.73 feet to the POINT OF BEGINNING.

The above described easement contains 8,577 square feet more or less.

PREPARED BY:  
**The Land Group, Inc.**

James R. Washburn



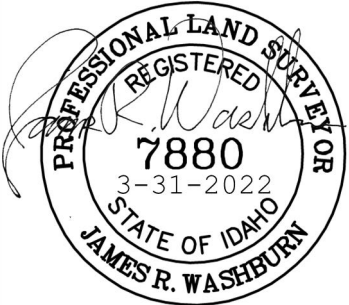
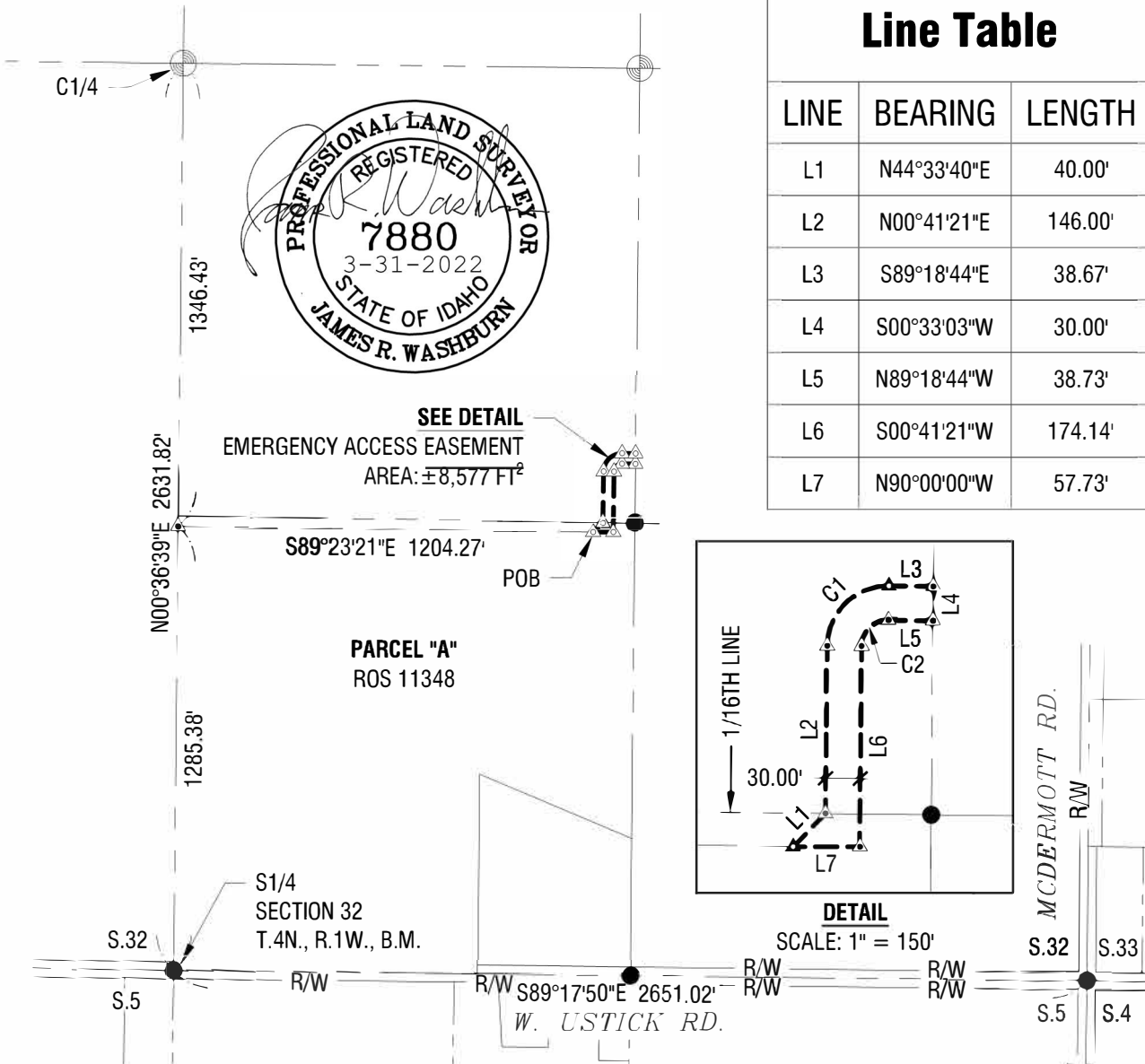


# Curve Table

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	83.25'	53.00'	90°00'02"	N45°40'25"E	74.95'
C2	36.15'	23.00'	90°02'31"	S45°40'25"W	32.54'

# Line Table

LINE	BEARING	LENGTH
L1	N44°33'40"E	40.00'
L2	N00°41'21"E	146.00'
L3	S89°18'44"E	38.67'
L4	S00°33'03"W	30.00'
L5	N89°18'44"W	38.73'
L6	S00°41'21"W	174.14'
L7	N90°00'00"W	57.73'



**SEE DETAIL**  
EMERGENCY ACCESS EASEMENT  
AREA: ±8,577 FT<sup>2</sup>

**PARCEL "A"**  
ROS 11348

S1/4  
SECTION 32  
T.4N., R.1W., B.M.

**DETAIL**  
SCALE: 1" = 150'

## EXHIBIT "D"

Horizontal Scale: 1" = 500'



120194  
Date of Issuance: September 16, 2021

File Location: g:\2020\120194\cad\survey\exhibits\ex 210709 emergency access easement 120194.dwg  
Last Plotted By: Mike Iemina  
Date Plotted: Thursday, September 16, 2021 at 03:34 PM



**Emergency Access Easement**  
**West Ada School District**