

ESMT-2021-0118 Oaks North No. 9

SANITARY SEWER AND WATER MAIN EASEMENT

This Agreement made this 19th day of October 2021 between
Toll Southwest, 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.

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor 10-19-2021

Attest by Chris Johnson, City Clerk 10-19-2021

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

This record was acknowledged before me on 10-19-2021 (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: 3-28-2022

EXHIBIT A

Legal Description
City of Meridian Sanitary Sewer & Water Easement
The Oaks North Subdivision No. 9

An easement located in the SW ¼ of the NE ¼ of Section 28, Township 4 North, Range 1 West, Boise Meridian, Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a Brass Cap monument marking the southeast corner of the SW ¼ (S ¼ corner) of said Section 28, from which a Brass Cap monument marking the southwest corner of said Section 28 bears N 89°16'58" W a distance of 2635.25 feet;

Thence N 0°43'41" E along the east boundary of said SW ¼ a distance of 2634.11 feet to a 2.5 inch iron pipe monument marking the northeast corner of the SW ¼ (Center ¼ corner) of said Section 28;

Thence along the west boundary of the NE ¼ of said Section 28 N 0°43'58" E a distance of 625.86 feet to a point;

Thence leaving said west boundary S 77°58'14" E a distance of 493.25 feet to the **POINT OF BEGINNING**;

Thence N 12°01'47" E a distance of 20.00 feet to a point;

Thence S 77°58'13" E a distance of 27.00 feet to a point;

Thence S 12°01'47" W a distance of 20.00 feet to a point;

Thence N 77°58'13" W a distance of 27.00 feet to the **POINT OF BEGINNING**.

This easement contains 540 square feet (0.012 acres) and is subject to any other easements existing or in use.

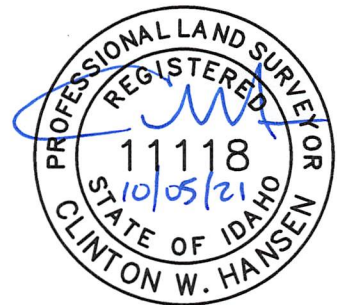
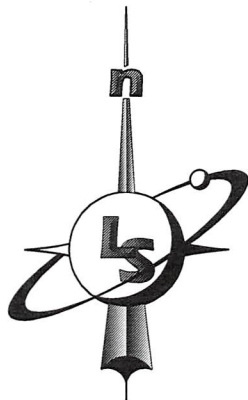
Clinton W. Hansen, PLS
Land Solutions, PC
October 5, 2021



CITY OF MERIDIAN SANITARY SEWER & WATER EASEMENT

THE OAKS NORTH SUBDIVISION NO. 9

LOCATED IN THE SW 1/4 OF THE NE 1/4 OF SECTION 28, T.4N., R.1W., B.M.
MERIDIAN, ADA COUNTY, IDAHO



LandSolutions
Land Surveying and Consulting

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SHEET 1 OF 1
JOB NO. 18-35