

ESMT-2023-0029 Winco Wells No. 1
Water Main Easement No. 3

WATER MAIN EASEMENT

THIS Easement Agreement, made this ____ day of _____, 20__ between CRP/MHS Seasons Meridian Owner, LLC (“Grantor”), and the City of Meridian, an Idaho Municipal Corporation (“Grantee”),

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

WHEREAS, the water main 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 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 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, 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:



STATE OF NEVADA) COLORADO SMS

) ss
County of ~~Clark~~) DENVER SMS

This record was acknowledged before me on 02/22/23 (date) by Ryan Morgan
(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 CRP/MHS Seasons Meridian Owner, 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)

(stamp)





Notary Signature
My Commission Expires: 09/25/2024

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.

Notary Signature
My Commission Expires: _____



January 30, 2023
Project No.: 120124

EXHIBIT A

WATER EASEMENTS

WINCO WELLS SUBDIVISION No.1
MB OVERLAND WELLS, LLC

EASEMENT-1

An easement located Lot 1 of Winco Wells Subdivision No. 1, recorded in Book 125 of Plats at Pages 19938-19941, Ada County records, situate in the Southwest Quarter of the Southeast Quarter of Section 17, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described as follows:

COMMENCING at the South One Quarter Corner of said Section 17, (from which point the Southeast Corner of said Section 17 bears North 89°46'00" East, 2656.84 feet distant); thence on the south line of said Section 17, North 89°46'00" East, 690.84 feet; thence leaving said south line, North 00°14'00" West, 76.28 feet to a point common with the said northerly right of way line of East Overland Road, and the Southwest corner of said Lot 1; thence North 00°24'05" East, 63.50 feet on the westerly boundary line of said Lot 1; thence leaving said westerly boundary line, South 89°35'55" East, 84.73 feet to a point on an existing sewer and water easement, recorded as Instrument No. 2022-082532, Ada County records and the **POINT OF BEGINNING of EASEMENT-1:**

Thence North 00° 26' 03" East, 33.00 feet;

Thence South 89° 34' 47" East, 10.00 feet;

Thence South 00° 26' 03" West, 33.00 feet to a point on the said existing sewer and water easement;

Thence North 89° 35' 55" West, 10.00 feet on the said existing sewer and water easement to the **POINT OF BEGINNING of EASEMENT-1.**

The above-described easement contains 330 Ft² more or less.

TOGETHER WITH

EASEMENT-2

An easement located Lot 1 of Winco Wells Subdivision No. 1, recorded in Book 125 of Plats at Pages 19938-19941, Ada County records, situate in the Southwest Quarter of the Southeast Quarter of Section 17, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described as follows:

COMMENCING at the South One Quarter Corner of said Section 17, (from which point the Southeast Corner of said Section 17 bears North 89°46'00" East, 2656.84 feet distant); thence on the south line of said Section 17, North 89°46'00" East, 690.84 feet; thence leaving said south line, North 00°14'00" West, 76.28 feet to a point common with the said northerly right of way line of East Overland Road, and the Southwest corner of said Lot 1; thence North 00°24'05" East, 348.35 feet on the westerly boundary line of the said Lot 1; thence leaving said westerly boundary line, South 89°35'55" East, 324.47 feet to a point on an existing sewer and water easement, recorded as Instrument No. 2022-082532, Ada County records and the **POINT OF BEGINNING of EASEMENT-2:**

Thence North 00° 24' 05" East, 10.00 feet on the said existing sewer and water easement;
Thence leaving said existing sewer and water easement, South 89° 35' 55" East, 27.00 feet;
Thence South 00° 24' 05" West, 10.00 feet;
Thence North 89° 35' 55" West, 27.00 feet to a point on the said existing sewer and water easement and the **POINT OF BEGINNING of EASEMENT-2.**

The above-described easement contains 270 Ft² more or less.

TOGETHER WITH

EASEMENT-3

An easement located Lot 1 of Winco Wells Subdivision No. 1, recorded in Book 125 of Plats at Pages 19938-19941, Ada County records, situate in the Southwest Quarter of the Southeast Quarter of Section 17, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described as follows:

COMMENCING at the South One Quarter Corner of said Section 17, (from which point the Southeast Corner of said Section 17 bears North 89°46'00" East, 2656.84 feet distant); thence on the south line of said Section 17, North 89°46'00" East, 690.84 feet; thence leaving said south line, North 00°14'00" West, 76.28 feet to a point common with the said northerly right of way line of East Overland Road, and the Southwest corner of said Lot 1; thence North 00°24'05" East, 440.60 feet on the westerly boundary line of said Lot 1; thence leaving said westerly boundary line, South 89°35'55" East, 265.58 feet to a point on an existing sewer and water easement, recorded as Instrument No. 2022-082532, Ada County records and the **POINT OF BEGINNING of EASEMENT-3:**

Thence North 00° 24' 05" East, 10.00 feet;
Thence South 89° 35' 55" East, 28.89 feet to a point on the said existing sewer and water easement, recorded as Instrument No. 2022-082532, Ada County records;
Thence South 00° 24' 05" West, 10.00 feet on the said existing sewer and water easement;
Thence leaving the said existing sewer and water easement, North 89° 35' 55" West, 28.89 feet to the **POINT OF BEGINNING of EASEMENT-3.**

The above-described easement contains 289 Ft² more or less.

TOGETHER WITH

EASEMENT-4

An easement located Lot 1 of Winco Wells Subdivision No. 1, recorded in Book 125 of Plats at Pages 19938-19941, Ada County records, situate in the Southwest Quarter of the Southeast Quarter of Section 17, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described as follows:

COMMENCING at the South One Quarter Corner of said Section 17, (from which point the Southeast Corner of said Section 17 bears North 89°46'00" East, 2656.84 feet distant); thence on the south line of said Section 17, North 89°46'00" East, 690.84 feet; thence leaving said south line, North 00°14'00" West, 76.28 feet to a point common with the said northerly right of way line of East Overland Road, and the



Southwest corner of said Lot 1; thence North 00°24'05" East, 624.34 feet on the westerly boundary line of said Lot 1; thence leaving said westerly boundary line, South 89°35'55" East, 324.47 feet to a point on an existing sewer and water easement, recorded as Instrument No. 2022-082532, Ada County records and the **POINT OF BEGINNING of EASEMENT-4:**

- Thence North 00° 24' 05" East, 10.00 feet on the said existing sewer and water easement, recorded as Instrument No. 2022-082532, Ada County records;
- Thence leaving the said existing sewer and water easement, South 89° 35' 55" East, 27.00 feet;
- Thence South 00° 24' 05" West, 10.00 feet;
- Thence North 89° 35' 55" West, 27.00 feet to a point on the said existing sewer and water easement and the **POINT OF BEGINNING of EASEMENT-4.**

The above-described easement contains 270 Ft² more or less.

TOGETHER WITH

EASEMENT-5

An easement located Lot 1 of Winco Wells Subdivision No. 1, recorded in Book 125 of Plats at Pages 19938-19941, Ada County records, situate in the Southwest Quarter of the Southeast Quarter of Section 17, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described as follows:

COMMENCING at the South One Quarter Corner of said Section 17, (from which point the Southeast Corner of said Section 17 bears North 89°46'00" East, 2656.84 feet distant); thence on the south line of said Section 17, North 89°46'00" East, 690.84 feet; thence leaving said south line, North 00°14'00" West, 76.28 feet to a point common with the said northerly right of way line of East Overland Road, and the Southwest corner of said Lot 1; thence North 00°24'05" East, 756.03 feet on the westerly boundary line of said Lot 1; thence leaving said westerly boundary line, South 89°35'55" East, 58.00 feet to a point on an existing sewer and water easement, recorded as Instrument No. 2022-082532, Ada County records and the **POINT OF BEGINNING of EASEMENT-5:**

- Thence North 00° 24' 05" East, 10.00 feet on the said existing sewer and water easement;
- Thence South 89° 35' 55" East, 31.32 feet;
- Thence South 00° 24' 05" West, 10.00 feet;
- Thence North 89° 35' 55" West, 31.32 feet to a point on the said existing sewer and water easement and the **POINT OF BEGINNING of EASEMENT-5.**

The above-described easement contains 313 Ft² more or less.

Prepared by:
The Land Group, Inc.
Michael S. Femenia, PLS

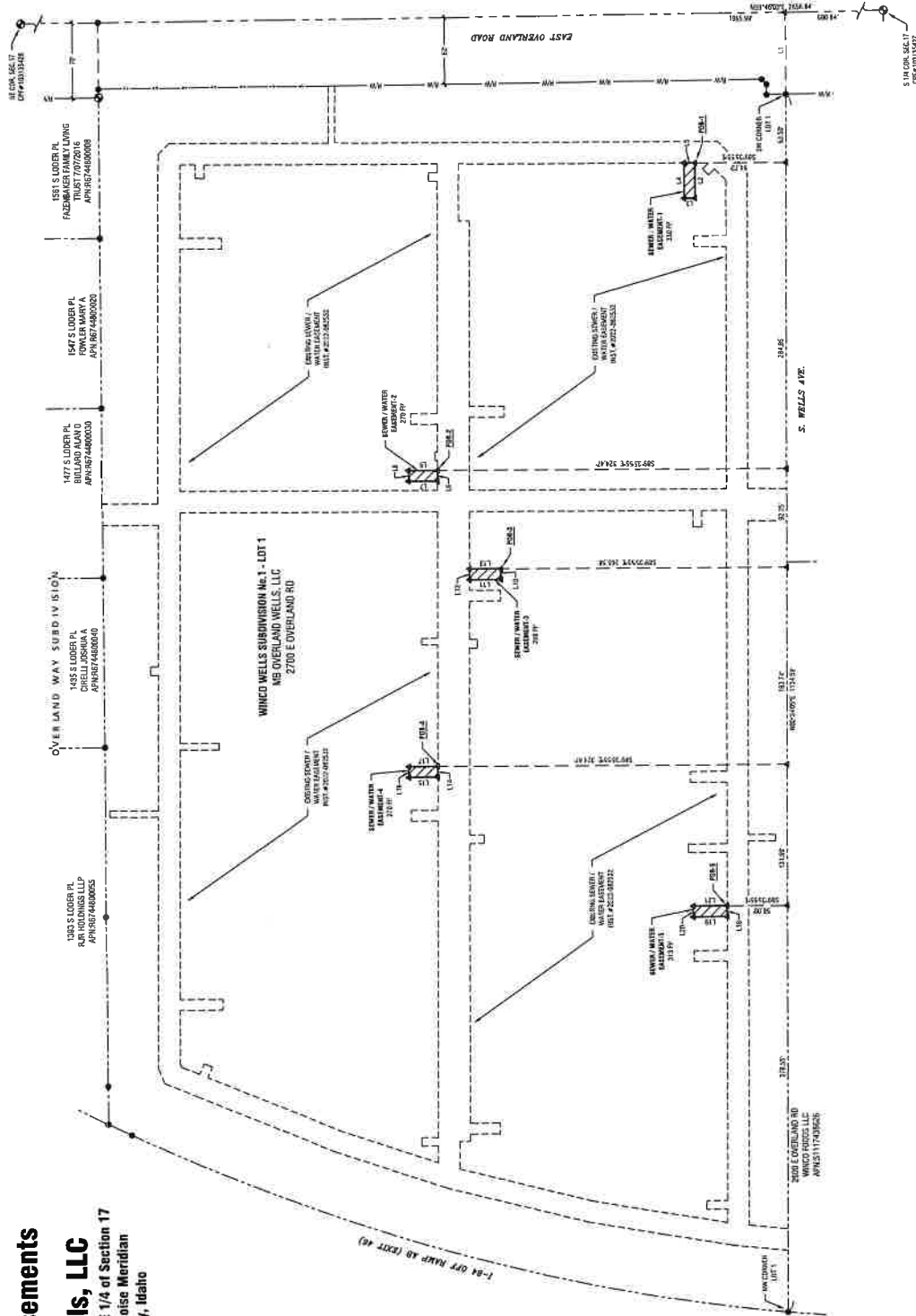


01/30/2023



EXHIBIT B
Water Easements
 for
MB Overland Wells, LLC
 Being a Portion of the SW 1/4 of the SE 1/4 of Section 17
 Township 3 North, Range 1 East, Boise Meridian
 City of Meridian, Ada County, Idaho
 2023

LINE	BEARING	LENGTH
L1	N02°10'00"W	76.28'
L2	N02°20'00"E	28.88'
L3	S00°24'47"E	16.88'
L4	S00°00'00"W	31.00'
L5	N07°25'00"W	10.00'
L6	N02°24'00"E	10.00'
L7	S07°25'00"E	27.00'
L8	S07°10'00"W	10.00'
L9	N07°25'00"W	27.00'
L10	S07°10'00"E	10.00'
L11	N07°25'00"W	28.88'
L12	N07°10'00"E	10.00'
L13	S07°25'00"E	27.00'
L14	N07°10'00"E	10.00'
L15	S07°25'00"E	27.00'
L16	S07°10'00"W	10.00'
L17	N07°25'00"W	27.00'
L18	N02°24'00"E	10.00'
L19	S07°25'00"E	31.32'
L20	S07°10'00"W	10.00'
L21	N07°25'00"W	21.32'



Water Easements
 City of Meridian

2700 East Overland Road
 Meridian, Idaho 83642



Project No. 2023-001
 Date of Review: March 15, 2023
 David Williams