

**UTILITY EASEMENT FOR PRESSURE REDUCING VALVE**

THIS Easement Agreement, made this \_\_\_\_ day of \_\_\_\_\_, 2021 between Orchard Creek Home Owners Association, (“GRANTOR”), and the City of Meridian, an Idaho Municipal Corporation (“GRANTEE”);

WITNESSETH:

WHEREAS, the GRANTOR desires to provide a Utility Easement for a Pressure Reducing Valve (PRV) right-of-way across the premises and property hereinafter particularly bounded and described; and

WHEREAS, the PRV is to be provided and to be constructed by others; and

WHEREAS, it will be necessary to maintain and service said PRV pipeline 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 over and across the following described property:

(SEE ATTACHED EXHIBIT A and B)

The easement hereby granted is for the purpose of construction and operation of a PRV 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:

W. E. Stiles

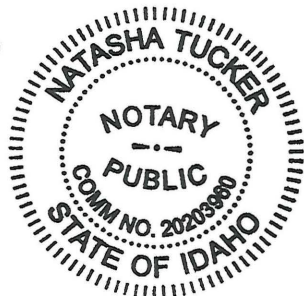
STATE OF IDAHO )

: ss.

County of Ada )

This record was acknowledged before me on May 3<sup>rd</sup> 2021 (date) by Bill Stanton the HOA President of Orchard Creek HOA

(stamp)



Natasha Tucker  
Notary Signature  
My Commission Expires: 10/13/26

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.

(stamp)

\_\_\_\_\_  
Notary Signature  
My Commission Expires: \_\_\_\_\_

**EXHIBIT A**  
**PERMANENT UTILITY EASEMENT DESCRIPTION**  
**FOR THE**  
**CITY OF MERIDIAN, IDAHO**

An easement located in the SE 1/4 of the SW 1/4 of Section 33, Township 3 North, Range 1 East, Boise Meridian, and being a part of Lot 1 of Block 1 of *BICENTENNIAL FARM SUBDIVISION NO. 1* as shown in Book 116 of Plats at Pages 17423 – 17432 in the office of the Recorder, Ada County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the southwesterly corner of said Section 33, from which an aluminum cap monument marking the southeasterly corner of said SW 1/4 bears N 89°56'28" E a distance of 2651.76 feet;

Thence N 89°56'28" E along the southerly boundary of said SW 1/4 a distance of 1669.77 feet to a point;

Thence leaving said southerly boundary N 11°54'52" W a distance of 51.09 feet to the southwest corner of said Lot 1;

Thence along the southeasterly boundary of said Lot 1 the following described courses:

Thence N 89°56'28" E a distance of 48.23 feet to a point;

Thence N 45°03'26" E a distance of 28.34 feet to a point;

Thence N 0°10'25" E a distance of 13.58 feet to the POINT OF BEGINNING;

Thence continuing N 0°10'25" E a distance of 43.00 feet to the southeasterly corner of an existing City of Meridian water easement, as described in Instrument No. 2018-119253;

Thence leaving said southeasterly boundary N 90°00'00" W along the southerly boundary of said easement a distance of 25.00 feet to a point;

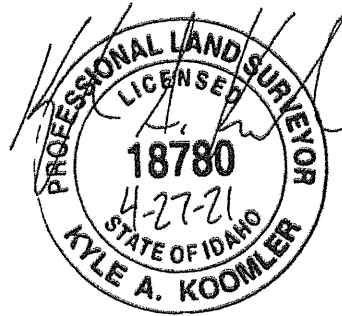
Thence leaving said southerly boundary S 0°10'25" W a distance of 42.92 feet to a point;

Thence S 89°49'35" E a distance of 25.00 feet to the POINT OF BEGINNING.

This parcel contains 1,074 square feet (0.025 acres) and is subject to any other easements existing or in use.

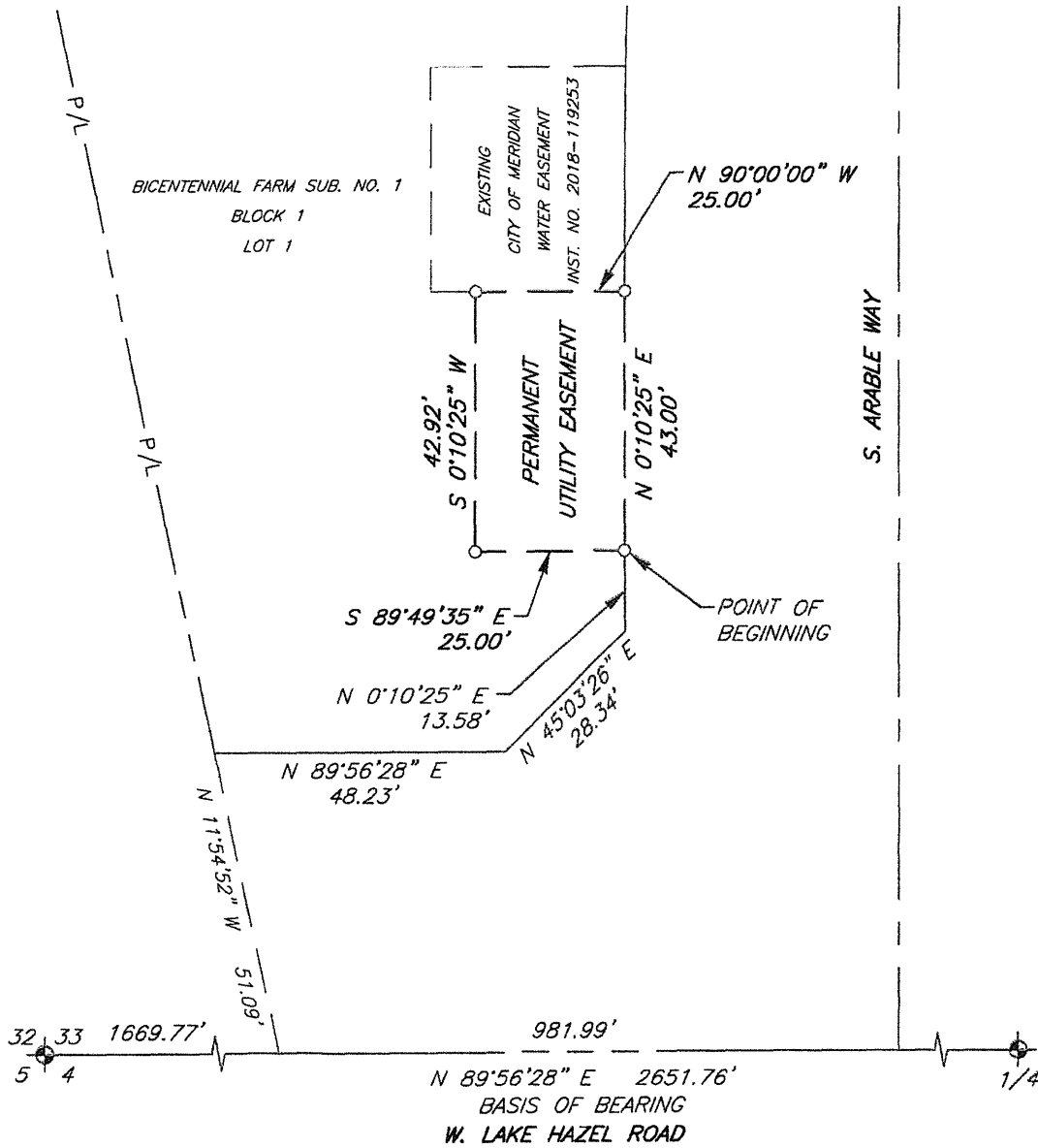
This description was prepared from record information, and no field survey has been done.

Prepared by: Kyle A. Koomler, PLS  
Civil Survey Consultants, Incorporated  
April 27, 2021



# EXHIBIT B

SKETCH TO ACCOMPANY PERMANENT UTILITY EASEMENT DESCRIPTION  
 FOR THE CITY OF MERIDIAN LOCATED IN THE SE 1/4 OF THE  
 SW 1/4 OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 1 EAST,  
 BOISE MERIDIAN, ADA COUNTY, IDAHO



SCALE: 1"=30'



CIVIL SURVEY CONSULTANTS, INC.  
 2893 SOUTH MERIDIAN ROAD  
 MERIDIAN, IDAHO 83642  
 (208)888-4312

