

ESMT-2022-0215 TM Creek Subdivision No. 5
Sanitary Sewer and Water Main Easement No. 1

SANITARY SEWER AND WATER MAIN EASEMENT

THIS Easement Agreement, made this 16th day of August 2022 between SCS BRIGHTON FLATS LLC, an Idaho limited liability company (“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, 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.

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor 8-16-2022

Attest by Chris Johnson, City Clerk 8-16-2022

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

This record was acknowledged before me on 8-16-2022 (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: _____

EXHIBIT A

Easement Area Description

A parcel of land situated in a portion of the Northwest 1/4 of Section 14, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a found brass cap marking the Northwest corner of said Section 14, which bears N89°09'27"W a distance of 2,657.99 feet from a found aluminum cap marking the North 1/4 corner of said Section 14, thence following the northerly line of said Northwest 1/4, S89°09'27"E a distance of 1,279.26 feet;

Thence leaving said northerly line, S00°50'33"W a distance of 823.01 feet to the easterly right-of-way line of S. Wayfinder Avenue;

Thence following said easterly right-of-way line, S00°33'41"W a distance of 85.48 feet to the **POINT OF BEGINNING**.

Thence leaving said easterly right-of-way line, N90°00'00"E a distance of 125.72 feet;

Thence S00°00'00"E a distance of 28.93 feet;

Thence S90°00'00"E a distance of 9.02 feet;

Thence S00°00'00"W a distance of 20.00 feet;

Thence N90°00'00"W a distance of 9.02 feet;

Thence S00°00'00"E a distance of 64.79 feet;

Thence N90°00'00"E a distance of 33.86 feet;

Thence S00°00'00"E a distance of 12.00 feet;

Thence N90°00'00"W a distance of 33.86 feet;

Thence S00°00'00"E a distance of 132.90 feet;

Thence N90°00'00"E a distance of 110.15 feet;

Thence N00°00'00"E a distance of 14.28 feet;

Thence S90°00'00"E a distance of 20.00 feet;

Thence S00°00'00"W a distance of 14.28 feet;

Thence N90°00'00"E a distance of 327.38 feet;

Thence N00°00'00"E a distance of 14.28 feet;

Thence S90°00'00"E a distance of 28.43 feet;

Thence S00°00'00"W a distance of 14.28 feet;

Thence N90°00'00"E a distance of 69.89 feet;

Thence N00°00'00"E a distance of 13.47 feet;

Thence N90°00'00"E a distance of 12.00 feet;

Thence S00°00'00"E a distance of 13.47 feet;

Thence N90°00'00"E a distance of 55.67 feet;

Thence N00°00'00"E a distance of 50.91 feet;

Thence N45°00'00"W a distance of 18.79 feet;

Thence N45°00'00"E a distance of 20.00 feet;

Thence S45°00'00"E a distance of 27.07 feet;

Thence S00°00'00"E a distance of 59.19 feet;
Thence N90°00'00"E a distance of 13.99 feet;
Thence S00°00'00"E a distance of 134.46 feet to the northerly right-of-way line of West Cobalt Avenue;
Thence following said northerly right-of-way line, N89°10'47"W a distance of 20.00 feet;
Thence leaving said northerly right-of-way line, N00°00'00"E a distance of 114.18 feet;
Thence N90°00'00"W a distance of 333.01 feet;
Thence S00°00'00"E a distance of 109.41 feet to said northerly right-of-way line;
Thence following said northerly right-of-way line, N89°10'47"W a distance of 20.00 feet;
Thence leaving said northerly right-of-way line, N00°00'00"E a distance of 109.12 feet;
Thence N90°00'00"W a distance of 304.52 feet;
Thence N00°00'00"E a distance of 258.62 feet;
Thence N90°00'00"W a distance of 68.81 feet;
Thence S01°01'22"E a distance of 13.70 feet;
Thence S88°58'38"W a distance of 37.50 feet to the easterly right-of-way line of S. Wayfinder Avenue;
Thence following said easterly right-of-way line, N00°33'41"E a distance of 34.37 feet to the **POINT OF BEGINNING**.

Said parcel contains 28,829 Sq. Ft. (0.662 acres), more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

All subdivisions, deeds, records of surveys, and other instruments of record referenced herein are recorded documents of the county in which these described lands are situated in.

Attached hereto is **Exhibit B** and by this reference is made a part hereof.



