

ESMT-2022-0151 LDIR-2021-0151
Emergency Access Easement
Agreement No. 1

EMERGENCY ACCESS EASEMENT AGREEMENT

THIS AGREEMENT made this 26th day of April, 20 22, between

Achieving Properties LLC, hereinafter referred to as "Grantor" and the **City of Meridian**, an

Idaho municipal corporation, hereinafter referred to as "Grantee";

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; 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, Grantor shall construct certain improvements upon the easement described herein; 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 the Grantor shall repair and maintain the access roadway improvements.

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 said Grantor has hereunto subscribed its signature the day and year first hereinabove written.

GRANTOR

Bill Brown

STATE OF IDAHO)
) ss
County of Ada)

This record was acknowledged before me on 3-22-22 (date) by
Bill Brown, on behalf of Achieving Prop. LLC in the following
representative capacity: Member of Achieving Prop. LLC (type of authority such as officer or
trustee)

Shawna Bartlett
Notary Signature
My Commission Expires: 3/2024



GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor 4-26-2022

Attest by Chris Johnson, City Clerk 4-26-2022

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

This record was acknowledged before me on 4-26-2022 (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: _____

PORTSIDE LAND
SURVEYING, LLC

LDIR-2021-0001

EXHIBIT A

EASEMENT DESCRIPTION

A twenty foot wide easement across a portion of Lot 5, Block 3, Olson and Bush Subdivision No. 2, Book 90, Page 10508, and a portion of Lot 6, Block 3, Olson and Bush Subdivision No. 3, Book 107, Page 14905. Said easement located in the SE 1/4 Of Section 8, Township 3 North, Range 1 East, Boise Meridian, more particularly described as follows:

Commencing at the Northeast corner Lot 5, Block 3, Olson and Bush Subdivision No. 2, thence along the North line of said Lot 5, North 88°10'58" West a distance of 28.07 feet to the True Point of Beginning;

Thence South 01°49'02" West a distance of 132.28 feet to a point;

Thence South 21°26'01" a distance of 28.05 feet to a point;

Thence South 01°48'52" West a distance of 101.89 feet to a point;

Thence South 88°11'08" East a distance of 16.99 feet to a point on the East line of said Lot 5;

Thence along the East line of said Lot 5 and said Lot 6, South 01°49'02" West a distance of 20.00 feet to a point;

Thence North 88°11'08" West a distance of 36.99 feet to a point;

Thence North 01°48'52" East a distance of 117.77 feet to a point;

Thence North 21°26'101" West a distance of 28.05 feet to a point;

Thence North 01°49'02" East a distance of 136.39 feet to a point on the North line of said Lot 5;

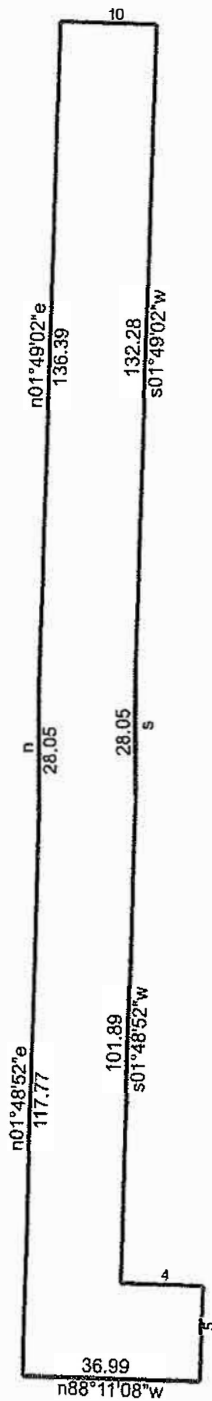
Thence South 88°10'58" East a distance of 20.00 feet to the True Point of Beginning.

Said easement containing 5988 Sq. Ft.

End Description
Project No. 22-106
Prepared March 22, 2022



3-22-2022



Lanark Water Easement

3/18/2022

Scale: 1 inch= 40 feet

File:

Tract 1: 0.1375 Acres (5988 Sq. Feet), Closure: n05.4954e 0.01 ft. (1/58050), Perimeter=638 ft.

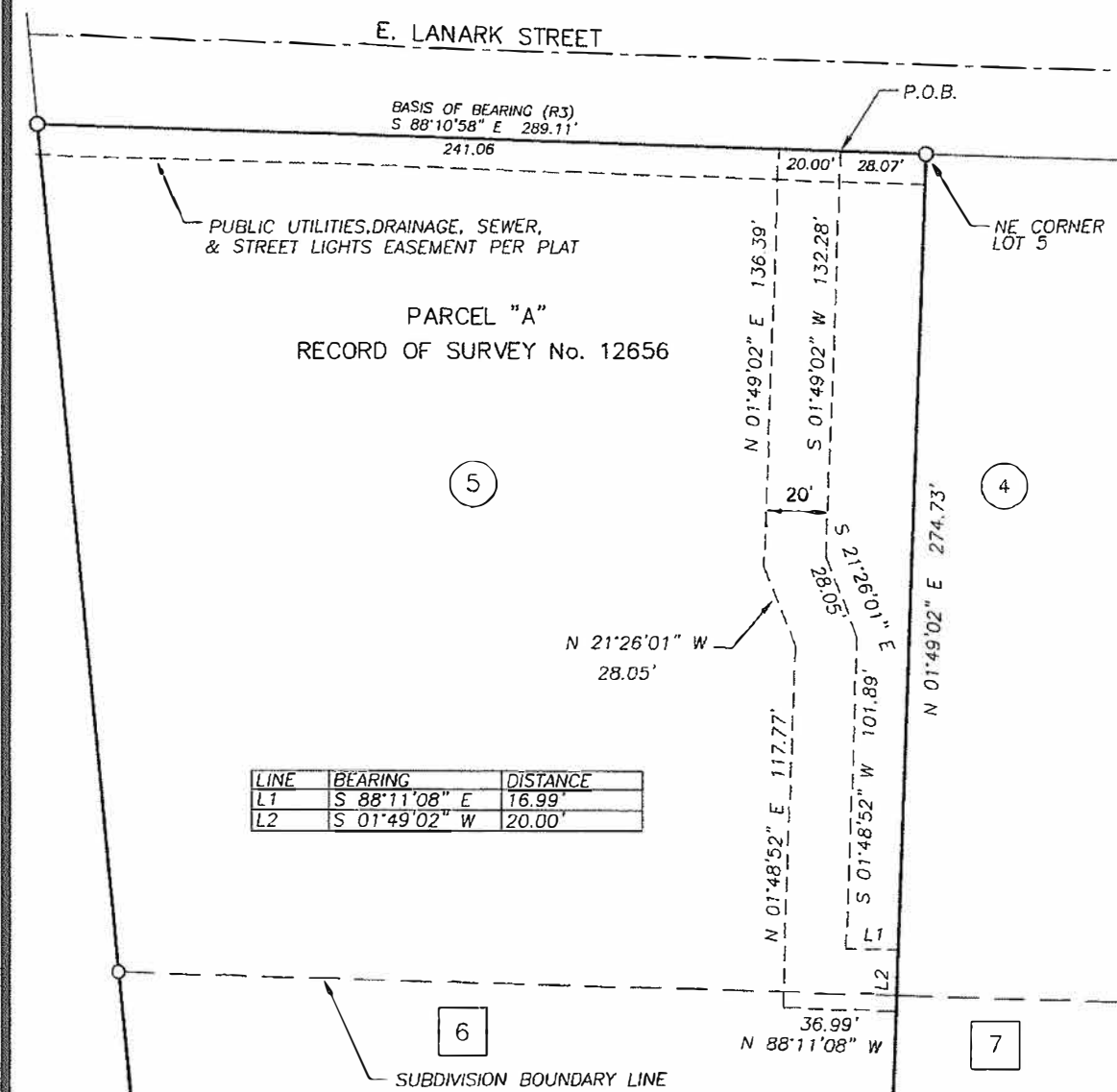
01 s01.4902w 132.28
02 s 28.05
03 s01.4852w 101.89
04 s88.1108e 16.99
05 s01.4902w 20
06 n88.1108w 36.99
07 n01.4852e 117.77

08 n 28.05
09 n01.4902e 136.39
10 s88.1058e 20

EXHIBIT B

WATER LINE AND ACCESS EASEMENT

AN EASEMENT ACROSS A PORTION OF LOT 5, BLOCK 3, OLSON & BUSH SUBDIVISION No. 2 AND ALL OF LOT 6, BLOCK 3, OLSON & BUSH SUBDIVISION No. 3, SAID PARCEL LOCATED IN THE SE 1/4 OF SECTION 8 TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO 2022



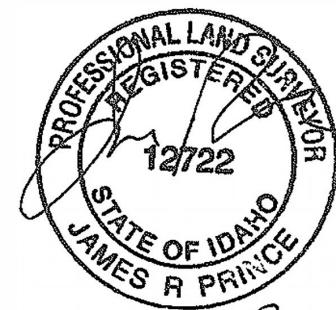
SCALE: 1"=60'
8 1/2 X 11 SHEET ONLY

LEGEND

- CENTER LINE
- PARCEL PROPERTY LINE
- - - EASEMENT LINE
- FOUND 1/2" IRON PIN
- P.O.B. POINT OF BEGINNING OF DESCRIPTION

- ① LOT NUMBER OLSON & BUSH SUB. No. 2
- ② LOT NUMBER OLSON & BUSH SUB. No. 3

LINE	BEARING	DISTANCE
L1	S 88°11'08" E	16.99'
L2	S 01°49'02" W	20.00'



3-22-2022

PORTSIDE LAND SURVEYING

3626 W. HILL ROAD, BOISE, ID 83703
PHONE: (208) 484-6666