

ESMT-2022-0196 Woodcrest Townhomes

**SANITARY SEWER AND WATER MAIN EASEMENT**

THIS Easement Agreement, made this 12<sup>th</sup> day of July 2022 between Landmark Pacific Investors, 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 7-12-2022

\_\_\_\_\_  
Attest by Chris Johnson, City Clerk 7-12-2022

STATE OF IDAHO, )

: ss.

County of Ada )

This record was acknowledged before me on 7-12-2022 (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: 3-28-2028



Client: Landmark Pacific Development Inc.  
Date: June 22, 2022  
Job No.: 4722

## Exhibit A SEWER & WATER EASEMENT DESCRIPTION

A strip of land for the purpose of a sanitary sewer and water main easement located in the South West 1/4 of the South East 1/4 of Section 5, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, and also being a portion of Lots 3 and 4, Block 1 of Mallane Subdivision, as on file in Book 87 of Plats on pages 9881 through 9883, records of Ada County, Idaho, and more particularly described as follows:

Commencing at a found 2-1/2 inch diameter Aluminum Cap stamped "Reset 2021 PLS 11574" marking the South West corner of said South East 1/4, (South 1/4 corner) from which a found 3-1/2 inch Brass Cap stamped "PLS 7015" marking the South East corner of said Section 5 bears South 89° 48' 44" East a distance of 2644.13 feet;

Thence North 00° 28' 03" East a distance of 313.94 feet to a found 1/2 inch diameter iron pin with cap stamped "PLS 11118" marking the South West corner of Lot 4, Block 1 of said Mallane Subdivision;

Thence along the Southerly boundary of said Lot 4, South 89° 33' 35" East, a distance of 99.59 feet to the **TRUE POINT OF BEGINNING**;

Thence North 00° 28' 11" East, a distance of 62.15 feet to the beginning of a tangent curve right;

Thence a distance of 54.23 feet along the arc of said curve right, having a radius of 72.50 feet, a central angle of 42° 51' 21", the long chord of which bears North 21° 53' 52" East, a distance of 52.97 feet;

Thence tangent to said curve, North 43° 19' 32" East, a distance of 178.35 feet to the beginning of a tangent curve right;

Thence a distance of 88.52 feet along the arc of said curve right, having a radius of 65.50 feet, a central angle of 77° 26' 03", the long chord of which bears North 82° 02' 34" East, a distance of 81.94 feet;

Thence tangent to said curve, South 59° 14' 25" East, a distance of 23.83 feet;

Thence South 32° 04' 32" West, a distance of 8.05 feet;

Thence South 58° 06' 51" East, a distance of 17.23 feet;

Thence South 31° 53' 09" West, a distance of 21.61 feet;

Thence North 59° 14' 25" West, a distance of 40.45 feet to the beginning of a tangent curve left;

Thence a distance of 47.98 feet along the arc of said curve left, having a radius of 35.50 feet, a central angle of 77° 26' 03", the long chord of which bears S. 82° 02' 34" W., a distance of 44.41 feet to a point;

Thence tangent to said curve, South 43° 19' 32" West, a distance of 178.35 feet to the beginning of a tangent curve left;

Thence a distance of 31.79 feet along the arc of said curve left, having a radius of 42.50 feet, a central angle of 42° 51' 21", the long chord of which bears S. 21° 53' 52" W., a distance of 31.05 feet;

Thence tangent to said curve, South 00° 28' 11" West, a distance of 97.47 feet;

COMPASS LAND SURVEYING, PLLC

Landmark Pacific Development-4722\Survey\Descriptions\Sewer Water Esmt.doc

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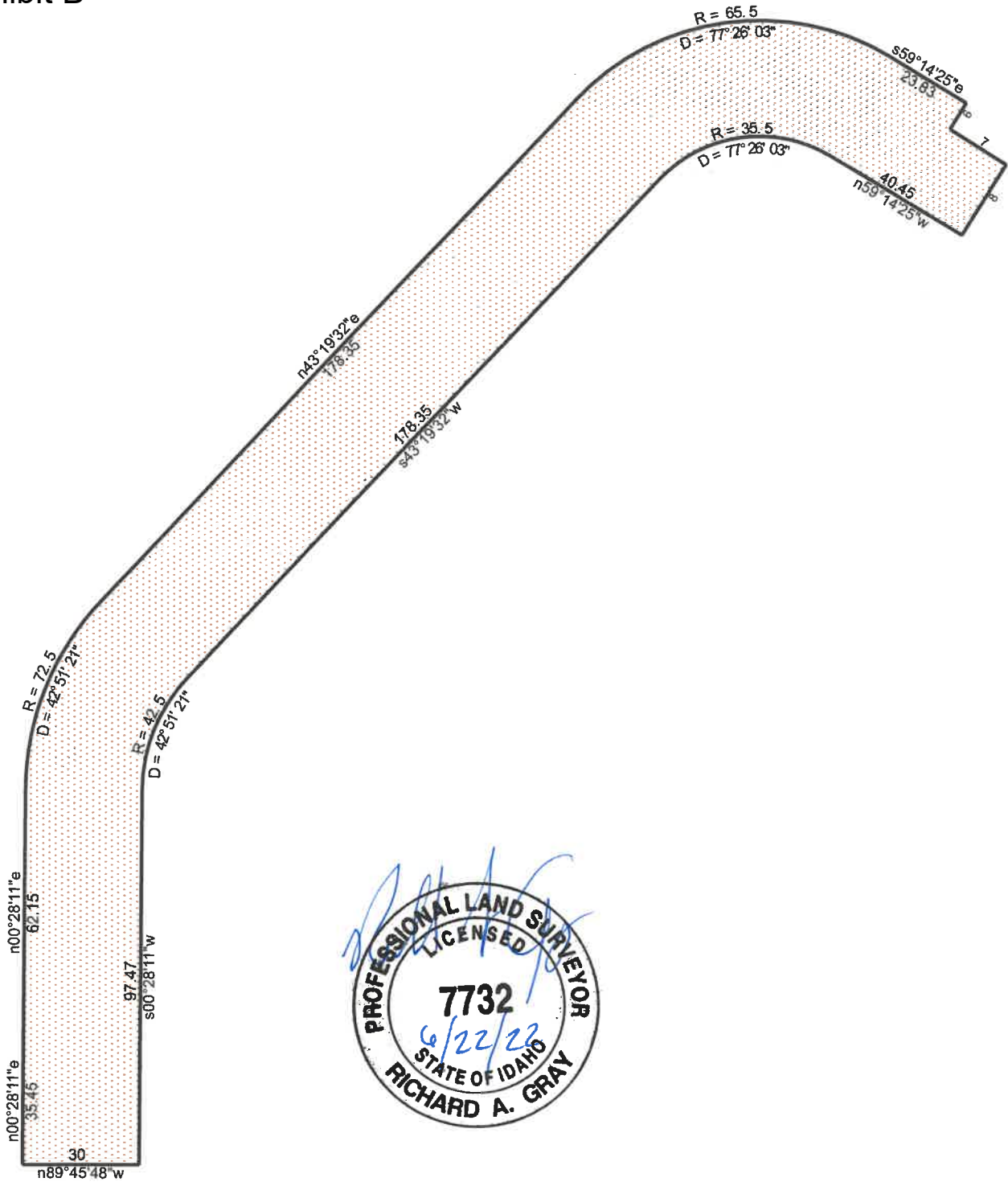
Thence North 89° 45' 48" West, a distance of 30.00 feet;

Thence North 00° 28' 11" East, a distance of 35.45 feet to the TRUE POINT OF BEGINNING.

This easement strip contains 12,695 square feet more or less



# Exhibit B



## 4722 Sewer & Water Easement

6/22/2022

Scale: 1 inch= 40 feet

File:

Tract 1: 0.2914 Acres (12695 Sq. Feet), Closure: s06.3043w 0.02 ft. (1/57086), Perimeter=915 ft.

- 01 n00.2811e 62.15
- 02 Rt, r=72.50, delta=042.5121, chord=n21.5352e 52.97
- 03 n43.1932e 178.35
- 04 Rt, r=65.50, delta=077.2603, chord=n82.0234e 81.94
- 05 s59.1425e 23.83
- 06 s32.0432w 8.05
- 07 s58.0651e 17.23
- 08 s31.5309w 21.61
- 09 n59.1425w 40.45
- 10 Lt, r=35.50, delta=077.2603, chord=s82.0234w 44.41

- 11 s43.1932w 178.35
- 12 Lt, r=42.50, delta=042.5121, chord=s21.5352w 31.05
- 13 s00.2811w 97.47
- 14 n89.4548w 30
- 15 n00.2811e 35.45