

Project Name (Subdivision):

Brightstar Care Overland

Water Main Easement Number: 1

Identify this Easement by sequential number if Project contains more than one Water Main easement.
(See Instructions for additional information).

ESMT-2023-0113

WATER MAIN EASEMENT

THIS Easement Agreement, made this _____ day of _____, 20____ between Brightstar Overland Road , 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, 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.

THE GRANTOR covenants and agrees that Grantor shall not place or allow to be placed any permanent structures or obstructions within the easement area that would interfere with Grantee's use of said easement, including, but not limited to, buildings, trash enclosures, carports, sheds, fences, trees, or deep-rooted shrubs.

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

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

Water Easement Description

An easement being a portion of Lot 1, Block 1 of Dorado Subdivision as recorded in Book 95 of Plats at Page 11647, Records of Ada County, said parcel is located in the southeast quarter of the southeast quarter of Section 17, Township 3 North, Range 1 East of the Boise Meridian, City of Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at the found brass cap monument at the corner common to Sections 16, 17, 20 and 21, T3N, R1E, from which the found brass cap monument at the quarter corner common to Sections 17 and 20, T3N, R1E bears S 89° 46' 18" W a distance of 2656.87 feet; thence S 89° 46' 18" W along the section line for a distance of 827.48 feet; thence N 00° 04' 03" W for a distance of 62.00 feet; thence N 00° 04' 03" W along the parcel line common to Lots 1 and 2, Block 2, Dorado Subdivision, Book 95, Page 11647, Ada County Records, for a distance of 101.42 feet to the **POINT OF BEGINNING**;

Thence S 89° 55' 57" W for a distance of 27.00 feet;

Thence N 00° 04' 03" W for a distance of 13.64 feet;

Thence N 44° 55' 57" E for a distance of 38.18 feet to the parcel line common to said Lots 1 and 2;

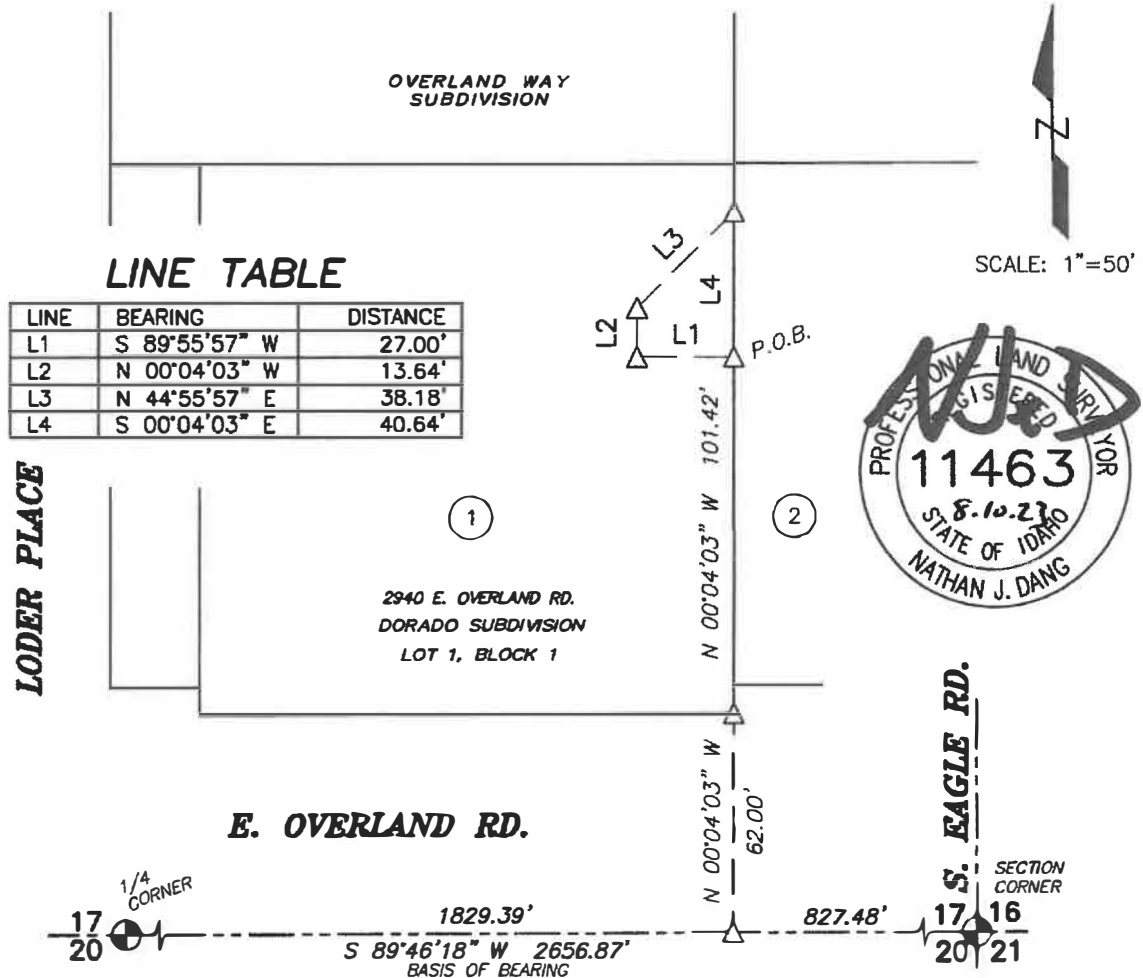
Thence S 00° 04' 03" E for a distance of 40.64 feet to the **POINT OF BEGINNING**.

Parcel contains 733 square feet and 0.017 acres, more or less.



EXHIBIT MAP

WATER EASEMENT
A PORTION OF LOT 1, BLOCK 1, DORADO SUBDIVISION,
BOOK 95 OF PLATS, PAGE 11647, ADA COUNTY RECORDS.
LYING WITHIN THE SE 1/4 OF THE SE 1/4 OF SECTION 17, T.3N., R.1E., B.M.
CITY OF MERIDIAN—COUNTY OF ADA—STATE OF IDAHO



LEGEND

⊕ FOUND 2 1/2" BRASS CAP MONUMENT, IN ASPHALT

△ CALCULATED POINT

① ORIGINAL PLATTED LOT NUMBER

--- SECTION LINE

— PARCEL LINE

- - - EASEMENT LINE



ACCURATE
SURVEYING & MAPPING

1520 W. Washington St.
Boise, Idaho 83702
(208) 488-4227

www accuratesurveyors.com

DATE: AUGUST, 2023

JOB 23-123