

RECORDING REQUESTED BY AND
WHEN RECORDED RETURN TO:

MERIDIAN CITY CLERK
33 E. Broadway Avenue
Meridian, Idaho 83642

SANITARY SEWER SERVICE LINE EASEMENT

This SANITARY SEWER SERVICE LINE EASEMENT is made this ____ day of _____, 2024 ("Effective Date") between CITY OF MERIDIAN, a municipal corporation organized under the laws of the State of Idaho, whose address is 33 East Broadway Avenue, Meridian, Idaho ("GRANTOR"), and TRAX HOLDING, owner of the property at 114 E Idaho Avenue, Meridian Idaho ("GRANTEE");

WHEREAS, GRANTOR is the owner of property located at 804 N MAIN ST, MERIDIAN, ID 83642, Ada County parcel no. R5672000720, more particularly described as N 45' OF LOTS 1-3 INC BLK 5 ("Property");

WHEREAS, GRANTEE seeks an easement across Property for the purpose of installing an underground sanitary sewer service line across the Property and accessing such sewer line for maintenance and repair, and GRANTOR seeks to allow such installation and access; and

WHEREAS, the sanitary sewer line will be installed by the City of Meridian as part of the E Idaho Avenue, N Main Street to 6th Street Water and Sewer Improvement Project;

NOW, THEREFORE, in consideration of the benefits to be received by GRANTOR, and for other good and valuable consideration, GRANTOR does hereby grant unto GRANTEE the following nonexclusive sanitary sewer easement on and under the Property to provide for the installation, maintenance and service of an underground Sanitary Sewer Service Line Easement. The easement is described as follows: **See Exhibit A and B**

The Sanitary Sewer Service Easement hereby granted is for the purpose of construction of an underground sanitary sewer line and allied sewer facilities, and perpetual access thereto for purposes of maintenance, repair and replacement. Any allied sewer facilities installed within the Sanitary Sewer Easement shall be subterranean, with the exception of cleanouts, which shall protrude no more than three inches above the surface. The Sanitary Sewer Service Line Easement shall include the right of ingress and egress along the route of the Sanitary Sewer Service Line Easement for the purposes set forth herein.

GRANTOR hereby covenants and agrees that it will not place or allow to be placed any permanent structures in the Sanitary Sewer Service Line Easement without consent from the GRANTEE. GRANTOR may place fencing and paving, and may plant trees and perennial shrubs within the Sanitary Sewer Service Line Easement.

IT IS EXPRESSLY UNDERSTOOD AND AGREED that after installing, making repairs, and performing maintenance and replacements to the sanitary sewer line, GRANTEE shall repair and restore the area of the Sanitary Sewer Service Line Easement and adjacent property to that existent prior to undertaking such procedures.

GRANTOR does hereby covenant with GRANTEE that GRANTOR is lawfully seized and

possessed of the aforementioned and described tract of land, and that it has a good and lawful right to grant said Sanitary Sewer Service Line Easement. The Sanitary Sewer Service Line Easement is subject to all prior easements and encumbrances of record or apparent upon the aforementioned and described tract of land.

IN WITNESS WHEREOF, the Parties have executed this instrument on the Effective Date set forth above.

GRANTOR:

STATE OF IDAHO)
) ss:
County of _____)

Robert E. Simison, Mayor

ATTEST:

Chris Johnson, City Clerk

On this ____ day of _____, 2024, before me, a Notary Public, personally appeared **Robert E. Simison** and **Chris Johnson**, know or identified to me to be the Mayor and Clerk, respectively, of the City of Meridian, who executed the instrument or the person that executed the instrument of behalf of said City, and acknowledged to me that such City executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for Idaho
Residing at _____, Idaho

My Commission Expires: _____

GRANTEE:

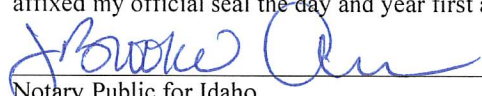
STATE OF IDAHO)
) ss:
County of Ada)



Jeremy Malone, VP, Oppenheimer
Development Corporation
Trax Holding, LLC

On this 27th day of May, 2024 before me, the undersigned, a Notary Public in and for said State, personally appeared Jeremy Malone, VP, Oppenheimer Development Corporation, Trax Holding, LLC, known or identified to me to be the persons whose names is subscribed to the within instrument, and acknowledged to me that said individual executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Notary Public for Idaho
Residing at Boise, Idaho

My Commission Expires: 1/21/2026

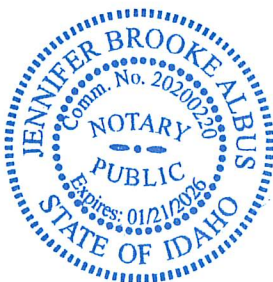


EXHIBIT A

**SEWER SERVICE EASEMENT NO. 2
FOR THE
CITY OF MERIDIAN, IDAHO**

An easement located in the NW 1/4 of the SW 1/4 of Section 7, Township 3 North, Range 1 East, Boise Meridian, and being a part of Lot 3 of Block 5 of the amended plat of *TOWNSITE OF MERIDIAN* as shown in Book 1 of plats at Page 30, in the office of the Recorder, Ada County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the centerline intersection of E. Idaho Avenue and N. Main Street, from which a brass cap monument marking the centerline intersection of E. Idaho Avenue and N.E. 2nd Street bears S 88°42'27" E a distance of 380.02 feet;

Thence S 88°42'27" E along the centerline of said E. Idaho Avenue a distance of 129.98 feet to a point on the extension of the easterly boundary of said Lot 3;

Thence leaving said centerline N 0°32'51" E along said extension a distance of 40.00 feet to a point marking the southeasterly corner of said Lot 3;

Thence continuing N 0°32'51" E along the easterly boundary of said Lot 3 a distance of 75.09 feet to a point;

Thence leaving said easterly boundary N 88°43'52" W a distance of 2.82 feet to the POINT OF BEGINNING;

Thence continuing N 88°43'52" W a distance of 10.00 feet to a point;

Thence N 0°35'41" E a distance of 45.05 feet to a point on the northerly boundary of said Lot 3;

Thence S 88°44'43" E along said northerly boundary a distance of 10.00 feet to a point;

Thence leaving said northerly boundary S 0°35'41" W a distance of 45.06 feet to the POINT OF BEGINNING.

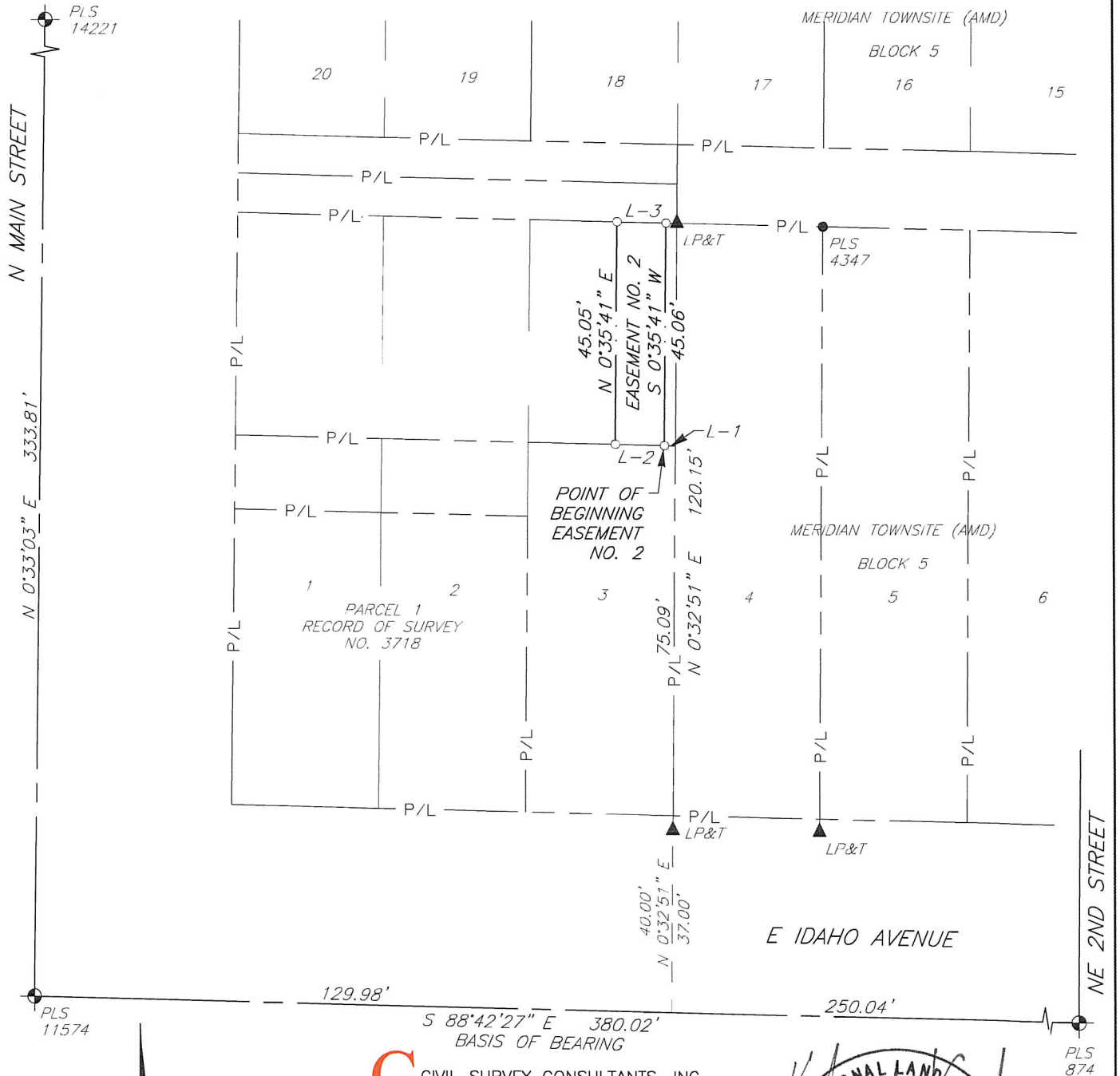
This parcel contains 451 square feet (0.010 acres) and is subject to any other easements, existing or in use.

Prepared by: Kyle A. Koomler, PLS
Civil Survey Consultants, Incorporated
May 10, 2024



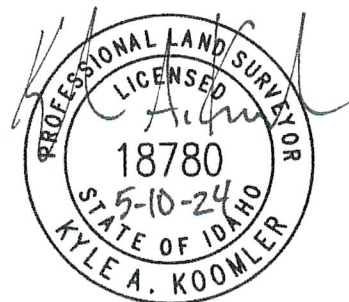
EXHIBIT B

SKETCH TO ACCOMPANY DESCRIPTION FOR THE
SEWER SERVICE EASEMENT LOCATED IN THE NW 1/4
OF THE SW 1/4 OF SECTION 7, TOWNSHIP 3 NORTH,
RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO



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

LINE DATA		
LINE	BEARING	DISTANCE
L-1	N 88°43'52" W	2.28'
L-2	N 88°43'52" W	10.00'
L-3	S 88°44'43" E	10.00'



SCALE: 1"=30'