

Project Name or Subdivision Name:

Vertex Subdivision No. 1

Water Main Easement Number: 1

Identify this Easement by sequential number if the project contains more than one easement of this type. See instructions/checklist for additional information.

For Internal Use Only

Record Number: ESMT-2024-0007

WATER MAIN EASEMENT

THIS Easement Agreement made this 6th day of February 20 24 between Smith Brighton Inc., ("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

Robert E. Simison, Mayor 2-6-2024

Notary Signature _____
My Commission Expires: _____

January 12, 2024
Project No.: 22-015
Vertex Subdivision No. 1
City of Meridian Water Easement
Legal Description

Exhibit A

A parcel of land for a City of Meridian water easement situated in a portion of Government Lot 2 of Section 5, Township 2 North, Range 1 East, B.M., City of Meridian, Ada County, Idaho, and being more particularly described as follows:

Commencing at an aluminum cap marking the North 1/4 corner of said Section 5, which bears N89°56'45"W a distance of 2,659.06 feet from an aluminum cap marking the Northeast corner of said Section 5, thence following the westerly line of said Government Lot 2, S00°01'10"W a distance of 261.46 feet;

Thence leaving said westerly line, S89°58'50"E a distance of 17.07 feet to the easterly right-of-way of South Recreation Avenue and being the **POINT OF BEGINNING**.

Thence following said easterly right-of-way, N02°18'36"E a distance of 20.02 feet;

Thence leaving said easterly right-of-way, S89°58'50"E a distance of 172.66 feet;

Thence S44°58'50"E a distance of 45.90 feet;

Thence 20.93 feet along the arc of a curve to the left, said curve having a radius 80.00 feet, a delta angle of 14°59'29", a chord bearing of S61°38'30"W and a chord distance of 20.87 feet;

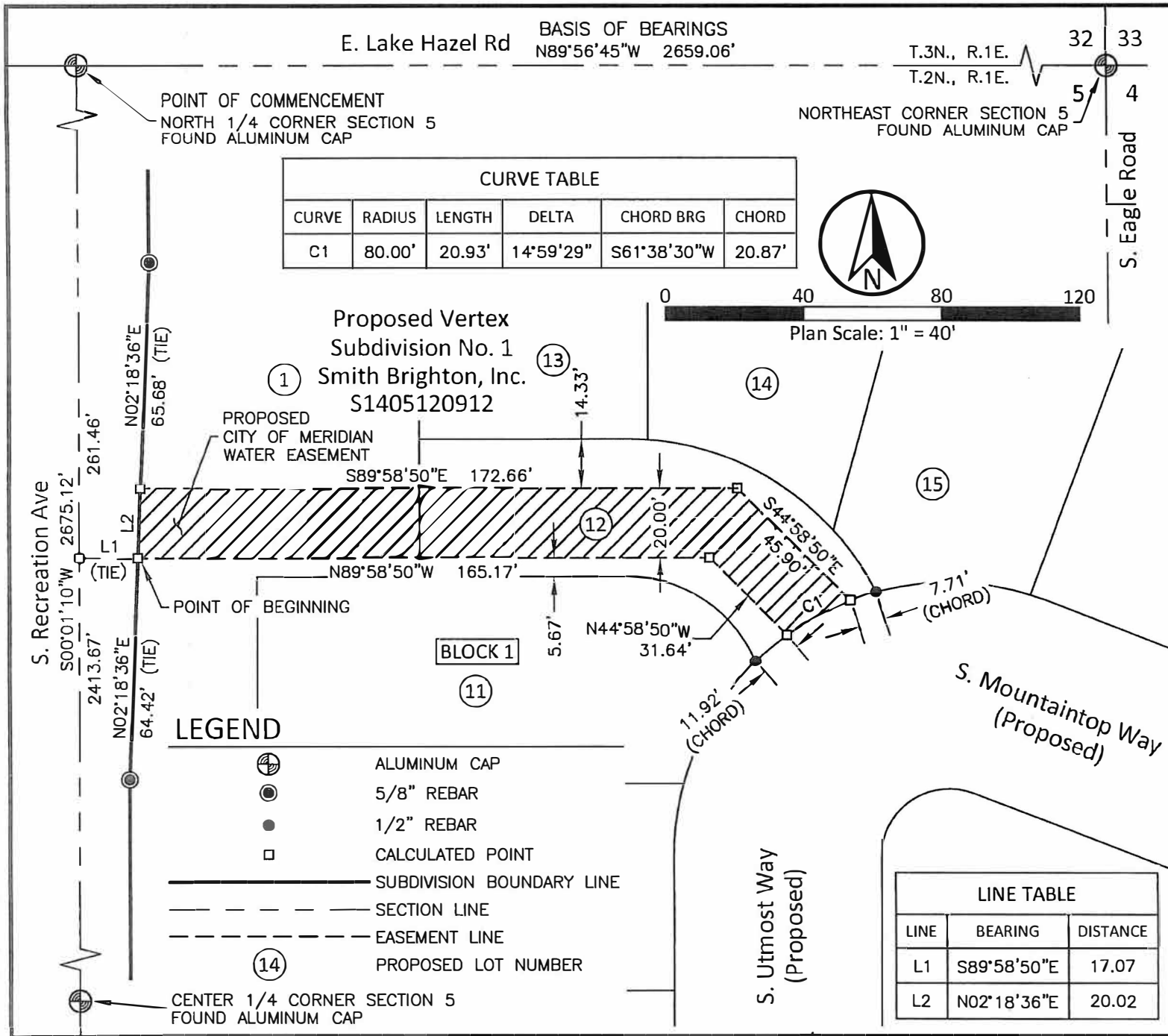
Thence N44°58'50"W a distance of 31.64 feet;

Thence N89°58'50"W a distance of 165.17 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 4,145 square feet, more or less, and is subject to any existing easements and/or rights-of-way of record or implied.

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





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ENGINEERING
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6939
kmengllp.com