

ESMT-2023-0023 Apex Northwest Subdivision No. 3
Sanitary Sewer and Water Main Easement No. 1

SANITARY SEWER AND WATER MAIN EASEMENT

THIS Easement Agreement, made this 14th day of February 20 23 between
SCS Investments 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 2-14-2023

Attest by Chris Johnson, City Clerk 2-14-2023

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

This record was acknowledged before me on 2-14-2023 (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

January 19, 2023
Apex Northwest Subdivision No. 3
Project No. 22-054
Legal Description
City of Meridian Water and Sewer Easement

Exhibit A

A parcel of land for a city of Meridian water and sewer easement situated in a portion of the Southwest 1/4 of the Southeast 1/4 of Section 31, Township 3 North, Range 1 East, B.M., City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a 5/8-inch rebar marking the Center-South 1/16 corner of Section 31, which bears $N00^{\circ}16'52''E$ a distance of 1,342.44 feet from a 5/8-inch rebar marking the South 1/4 corner of said Section 31, thence following the northerly line of said Southwest 1/4 of the Southeast 1/4, $S89^{\circ}52'08''E$ a distance of 703.20 feet;

Thence leaving said southerly line, $S00^{\circ}07'52''W$ a distance of 94.44 feet to the southerly right-of-way line of proposed E. Crescendo St. and being the **POINT OF BEGINNING**.

Thence following said proposed southerly right-of-way line, $S89^{\circ}42'21''E$ a distance of 20.00 feet;

Thence leaving said proposed southerly right-of-way line, $S00^{\circ}15'16''W$ a distance of 240.00 feet to the northerly right-of-way line of proposed E. Escalation St.;

Thence following said proposed northerly right-of-way line, $N89^{\circ}42'21''W$ a distance of 20.00 feet;

Thence leaving said proposed northerly right-of-way line, $N00^{\circ}15'16''E$ a distance of 240.00 feet to the **POINT OF BEGINNING**.

Said description contains a total of 4,800 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.



