

ESMT-2022-0143 ADVENTURE CHURCH ADDITION

WATER MAIN EASEMENT

THIS Easement Agreement, made this ____ day of _____, 20__ between Jessica Condominiums

("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, it's 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 will not place or allow to be placed any permanent structures, trees, brush, or perennial shrubs or flowers within the area described for this easement, which would interfere with the use of said easement, for the purposes stated herein.

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


public street, then, to such extent, such right-of-way and easement hereby granted which lies within such boundary thereof or which is a part thereof, shall cease and become null and void and of no further effect and shall be completely relinquished.

THE GRANTOR does hereby covenant with the Grantee that Grantor is lawfully seized and possessed of the aforementioned and described tract of land, and that Grantor has a good and lawful right to convey said easement, and that Grantor will warrant and forever defend the title and quiet possession thereof against the lawful claims of all persons whomsoever.

THE COVENANTS OF GRANTOR made herein shall be binding upon Grantor's successors, assigns, heirs, personal representatives, purchasers, or transferees of any kind.

IN WITNESS WHEREOF, the said parties of the first part have hereunto subscribed their signatures the day and year first herein above written.

GRANTOR: JESSICA CONDOMINIUMS

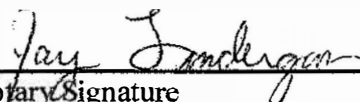


MIKE MUSSELL, PRESIDENT

STATE OF IDAHO)
) ss
County of Ada)

This record was acknowledged before me on 3/29/2022 (date) by MIKE MUSSELL (name of individual), [complete the following if signing in a representative capacity, or strike the following if signing in an individual capacity] on behalf of JESSICA CONDOS (name of entity on behalf of whom record was executed), in the following representative capacity: PRESIDENT (type of authority such as officer or trustee)




Notary Signature _____
My Commission Expires: 3/29/2022

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.

Notary Signature

My Commission Expires: _____

EXHIBIT A

LEGAL DESCRIPTION FOR MUSSELL CONSTRUCTION CITY OF MERIDIAN WATER EASEMENT

The following describes a City of Meridian Water easement situated a portion of the common area of Jessica Condos as recorded in Book 104 at Page 14036 located in the Northeast 1/4 of the Southeast 1/4 of the Southeast 1/4 Section 25, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho. Being further described as follows:

BASIS OF BEARING:

The East line of the Southeast 1/4 of Section 25, Township 3 North, Range 1 West, Boise Meridian, derived from found monuments and taken as North 00°32'49" East with the distance between monuments found to be 2,664.84 feet.

BEGINNING at a point on the westerly Right-of-Way of S Meridian Road from which the Southeast corner of said Section 25, Township 3 North, Range 1 West, Boise Meridian bears South 03°28'33" East a distance of 997.78 feet.

Thence along said right of way, South 00°32'49" West, a distance of 20.00 feet;

Thence leaving said right of way, North 89°40'54" West, a distance of 36.61 feet;

Thence North 00°19'06" East, a distance of 20.00 feet;

Thence South 89°40'54" East, a distance of 36.69 feet to the **POINT OF BEGINNING**.

Said Parcel containing 733 square feet or 0.02 acres, more or less and is subject to all existing easements and rights-of-ways of record or implied.

END OF DESCRIPTION.

Kenneth H. Cook, P.L.S. 9895
Timberline Surveying
847 Park Centre Way, Suite 3
Nampa, Idaho 83651
(208) 465-5687

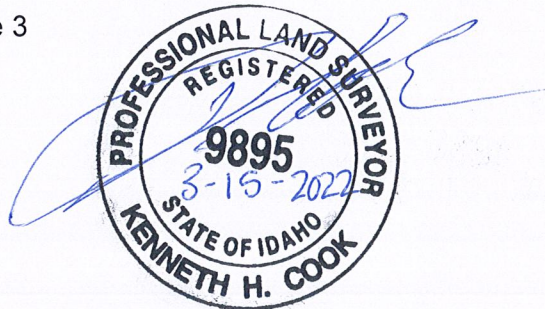
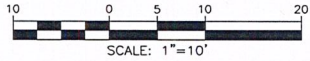
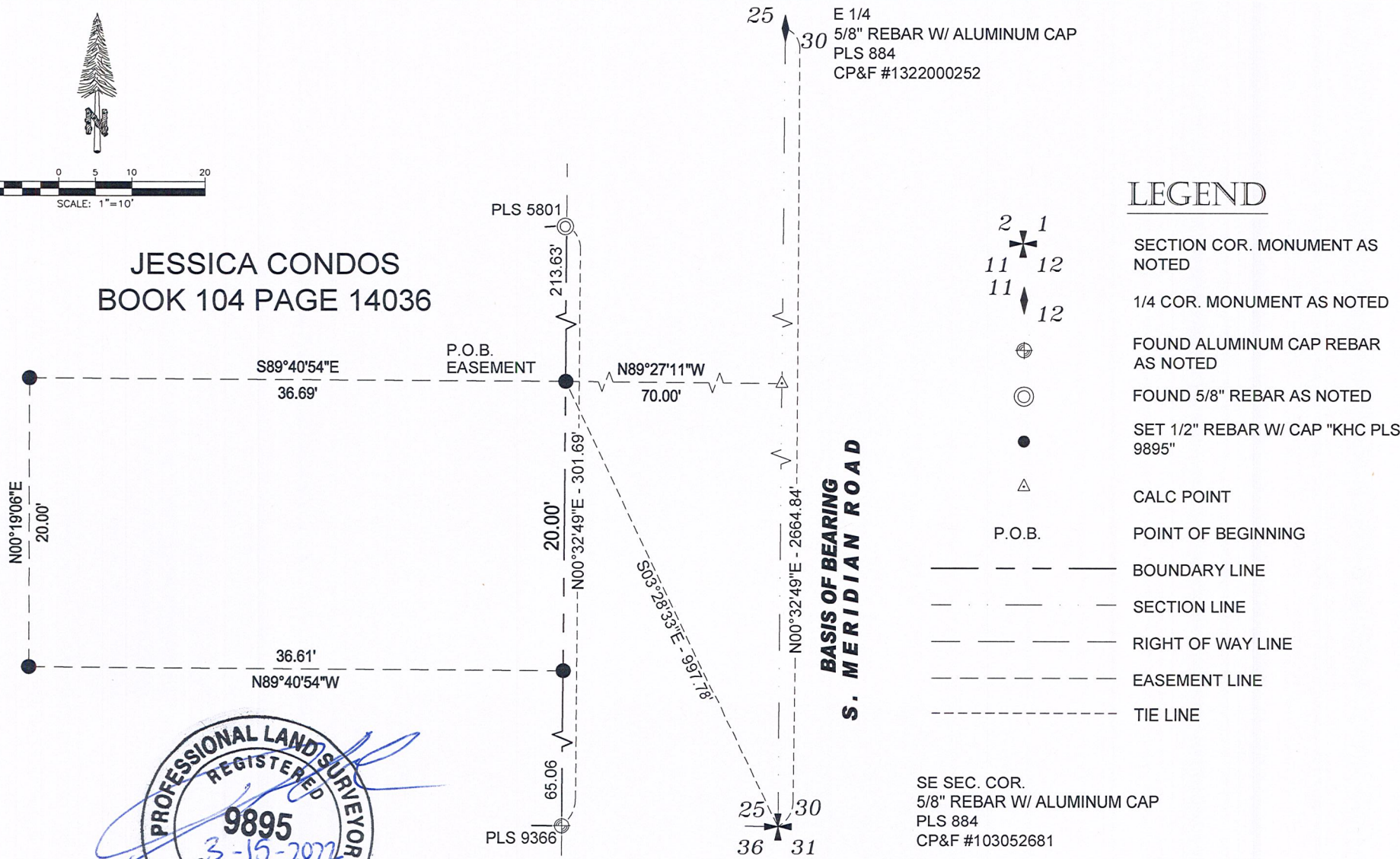


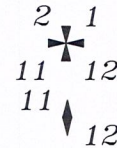
EXHIBIT B



JESSICA CONDOS
BOOK 104 PAGE 14036



LEGEND



- SECTION COR. MONUMENT AS NOTED
- 1/4 COR. MONUMENT AS NOTED
- FOUND ALUMINUM CAP REBAR AS NOTED
- FOUND 5/8" REBAR AS NOTED
- SET 1/2" REBAR W/ CAP "KHC PLS 9895"
- CALC POINT
- P.O.B. POINT OF BEGINNING
- BOUNDARY LINE
- SECTION LINE
- RIGHT OF WAY LINE
- EASEMENT LINE
- TIE LINE



SE SEC. COR.
5/8" REBAR W/ ALUMINUM CAP
PLS 884
CP&F #103052681

CITY OF MERIDIAN
WATER EASEMENT DISPLAY
FOR JESSICA CONDOS
BOOK 104 PAGE 14036



TIMBERLINE SURVEYING
847 PARKCENTRE WAY, SUITE 3, NAMPA, IDAHO 83651
208-465-5687