

Project Name (Subdivision):

Centerville Subdivision No. 1

Sanitary Sewer & Water Main Easement Number:

1

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

ESMT-2023-0167

SANITARY SEWER AND WATER MAIN EASEMENT

THIS Easement Agreement, made this 21 day of November 20 23 between Endurance Holdings LLC and Viper 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.

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.

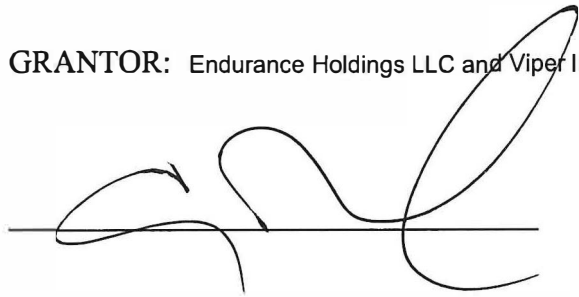
THE GRANTOR covenants and agrees with the Grantee that should any part of the right-of-way and easement hereby granted shall become part of, or lie within the boundaries of any public street, then, to such extent, such right-of-way and easement hereby granted which lies within such boundary thereof or 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: Endurance Holdings LLC and Viper Investments LLC



STATE OF IDAHO)
) ss
 County of Ada)

This record was acknowledged before me on October 26, 2023 (date) by Corey Barton (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 Endurance Holdings LLC (name of entity on behalf of whom record was executed), in the following representative capacity: member of both (type of authority such as officer or trustee)

(stamp)

ADAIR KOLTES
 Notary Public - State of Idaho
 Commission Number 30052
 My Commission Expires 06-05-2028

Adair L
 Notary Signature
 My Commission Expires: 6-05-2028

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor 11-21-2023

Attest by Chris Johnson, City Clerk 11-21-2023

STATE OF IDAHO,)

: ss.

County of Ada)

This record was acknowledged before me on 11-21-2023 (date) by
Robert E. Simison and Chris Johnson on behalf of the City of Meridian, in
their capacities as Mayor and City Clerk, respectively.

(stamp)

Notary Signature

My Commission Expires: _____

Legal Description
City of Meridian Sewer & Water Easement
Centerville Subdivision No. 1
Viper Investments Parcel

Easements being located in the NW ¼ of the NE ¼ of Section 33, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

EASEMENT A

Commencing at a Brass Cap monument marking the northwest corner of said NW ¼ of the NE ¼, from which an Aluminum Cap monument marking the northeast corner of the NE ¼ of said Section 33 bears S 89°14'44" E a distance of 2660.44 feet;

Thence along the westerly boundary of said NW ¼ of the NE ¼ S 0°19'12" W a distance of 594.92 feet to a point;

Thence leaving said boundary S 89°40'48" E a distance of 159.00 feet to the **POINT OF BEGINNING**;

Thence continuing S 89°40'48" E a distance of 32.00 feet to a point;

Thence S 0°19'12" W a distance of 77.78 feet to a point;

Thence N 89°40'48" W a distance of 32.00 feet to a point;

Thence N 0°19'12" E a distance of 77.78 feet to the **POINT OF BEGINNING**.

Said Easement A contains 2,489 square feet (0.057 acres) and is subject to any other easements existing or in use.

EASEMENT B

Commencing at a Brass Cap monument marking the northwest corner of said NW ¼ of the NE ¼, from which an Aluminum Cap monument marking the northwest corner of the NW ¼ of said Section 33 bears N 89°15'18" W a distance of 2660.59 feet;

Thence along the westerly boundary of said NW ¼ of the NE ¼ S 0°19'12" W a distance of 736.70 feet to a point;

Thence leaving said northerly boundary S 89°40'48" E a distance of 159.00 feet to the **POINT OF BEGINNING**;

Thence continuing S 89°40'48" E a distance of 32.00 feet to a point;

Thence S 0°19'12" W a distance of 31.50 feet to a point;

Thence N 89°40'48" W a distance of 12.00 feet to a point;

Thence S 0°19'12" W a distance of 151.42 feet to a point;

Thence N 89°40'48" W a distance of 20.00 feet to a point;

Thence N 0°19'12" E a distance of 182.92 feet to the **POINT OF BEGINNING**.

Said Easement B contains 4,036 square feet (0.093 acres) and is subject to any other easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
November 1, 2023

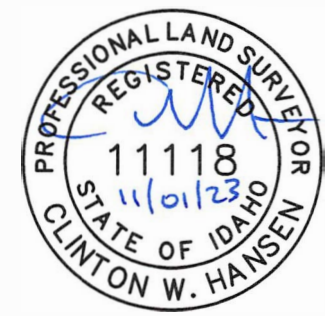
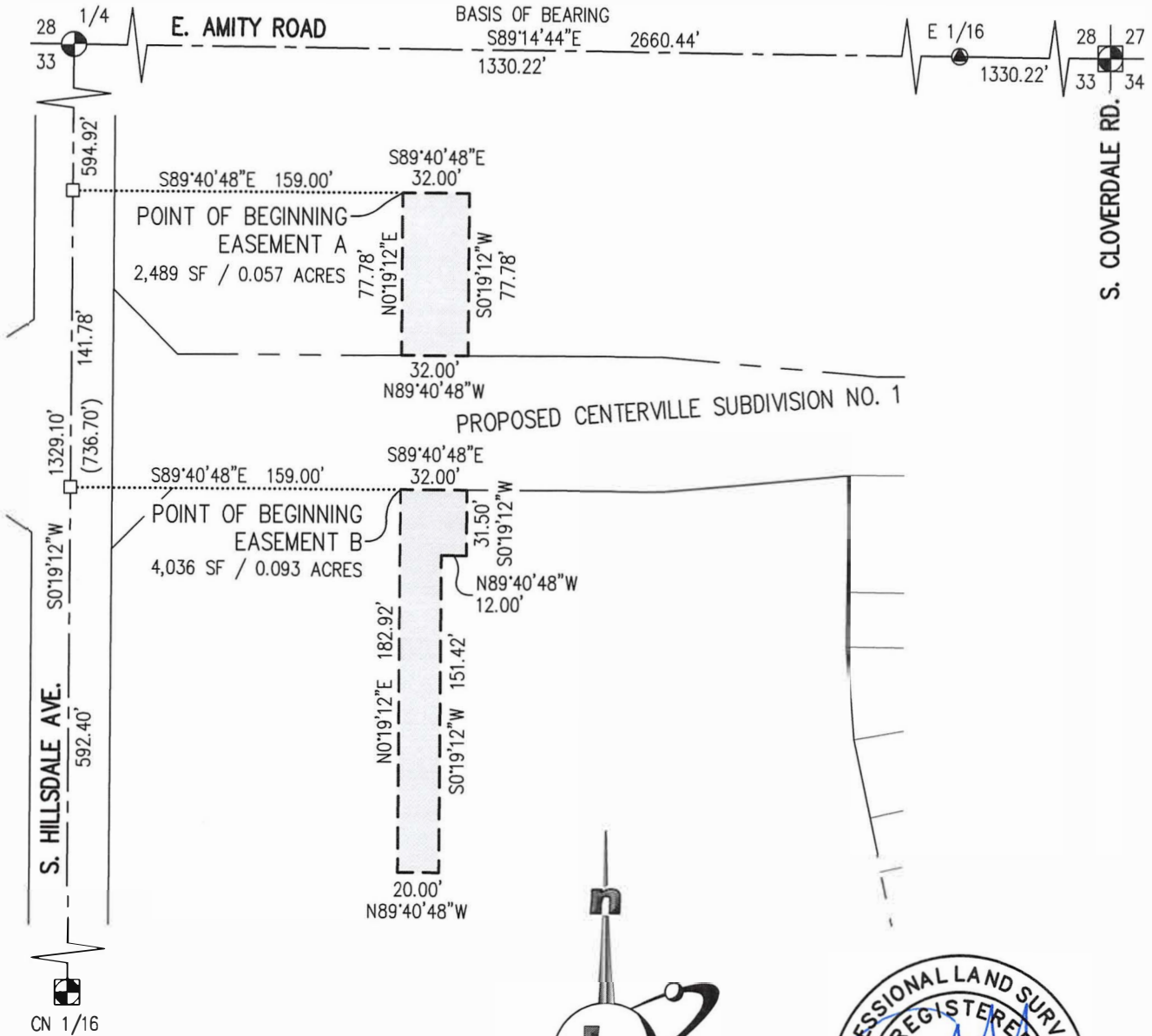


CITY OF MERIDIAN SEWER & WATER EASEMENTS

CENTERVILLE SUBDIVISION NO. 1

VIPER INVESTMENTS PARCEL

LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 1 EAST, B.M., CITY OF MERIDIAN, ADA COUNTY, IDAHO



LandSolutions
Land Surveying and Consulting

231 E. 5TH ST., STE. A
MERIDIAN, ID 83642
(208) 288-2040 (208) 288-2557 fax
www.landsolutions.biz

Legal Description
City of Meridian Sewer & Water Easement
Centerville Subdivision No. 1
Endurance Holdings North Parcel

An easement being located in the NW ¼ of the NE ¼ of Section 33, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a Brass Cap monument marking the northwest corner of said NW ¼ of the NE ¼, from which an Aluminum Cap monument marking the northeast corner of the NE ¼ of said Section 33 bears S 89°14'44" E a distance of 2660.44 feet;

Thence along the northerly boundary of said NW ¼ of the NE ¼ S 89°14'44" E a distance of 1004.14 feet to a point;

Thence leaving said northerly boundary S 0°45'16" W a distance of 197.50 feet to the **POINT OF BEGINNING**;

Thence S 89°14'44" E a distance of 165.90 feet to a point;

Thence S 0°45'16" W a distance of 20.00 feet to a point;

Thence N 89°14'44" W a distance of 165.90 feet to a point;

Thence N 0°45'16" E a distance of 20.00 feet to the **POINT OF BEGINNING**.

This easement contains 3,318 square feet (0.076 acres) and is subject to any other easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
November 1, 2023

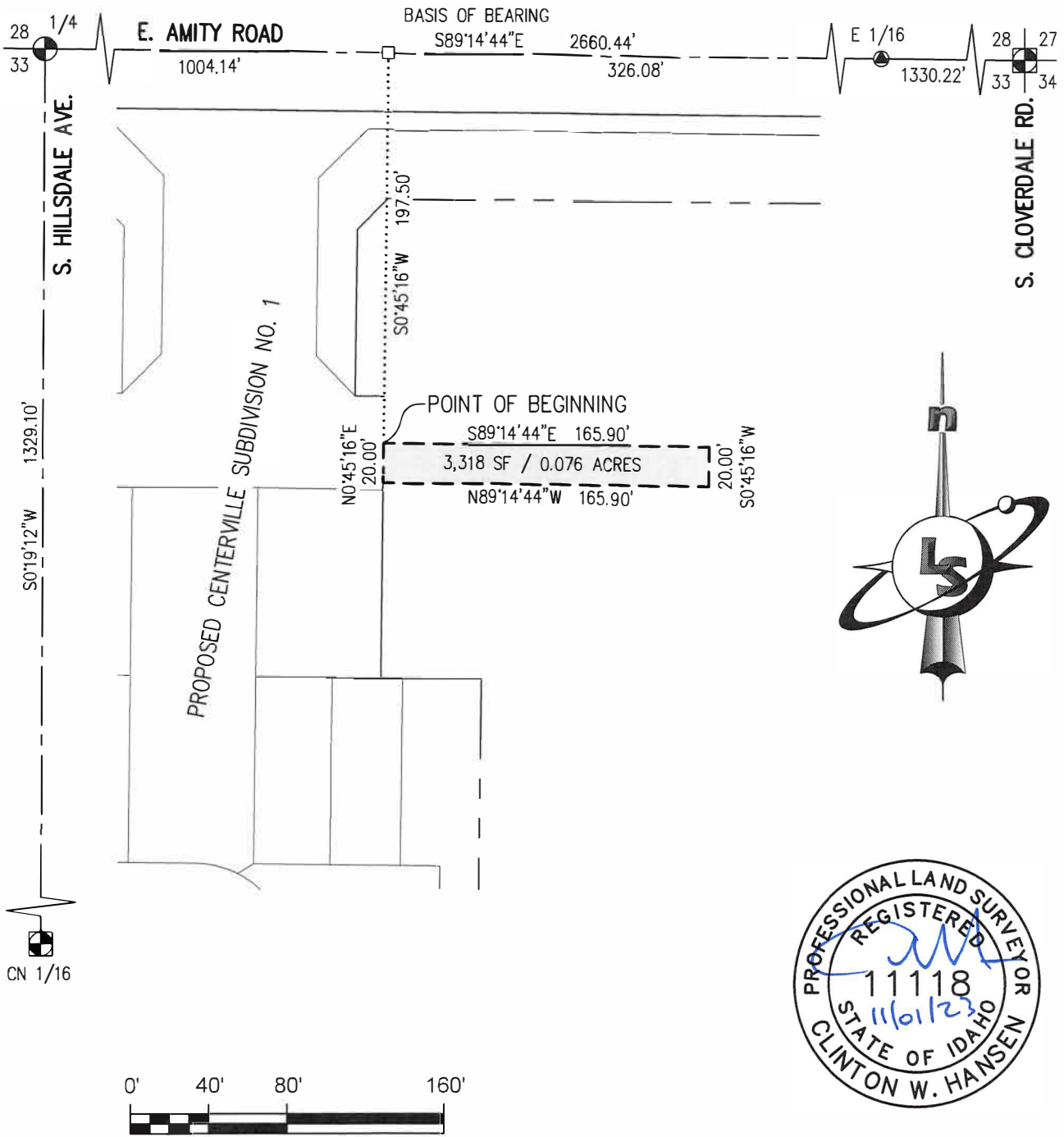


CITY OF MERIDIAN SEWER & WATER EASEMENT

CENTERVILLE SUBDIVISION NO. 1

ENDURANCE HOLDINGS NORTH PARCEL

LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 1 EAST, B.M., CITY OF MERIDIAN, ADA COUNTY, IDAHO



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Legal Description
City of Meridian Sewer & Water Easement
Centerville Subdivision No. 1
Endurance Holdings South Parcel

An easement being located in the NW ¼ of the NE ¼ of Section 33, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a Brass Cap monument marking the northwest corner of said NW ¼ of the NE ¼, from which an Aluminum Cap monument marking the northeast corner of the NE ¼ of said Section 33 bears S 89°14'44" E a distance of 2660.44 feet;

Thence along the westerly boundary of said NW ¼ of the NE ¼ S 0°19'12" W a distance of 1033.21 feet to a point;

Thence leaving said boundary S 89°40'48" E a distance of 528.40 feet to the **POINT OF BEGINNING**;

Thence N 78°00'00" E a distance of 20.00 feet to a point;

Thence S 12°00'00" E a distance of 40.50 feet to a point;

Thence S 78°00'00" W a distance of 20.00 feet to a point;

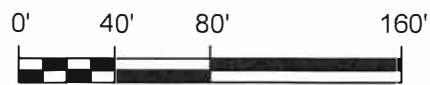
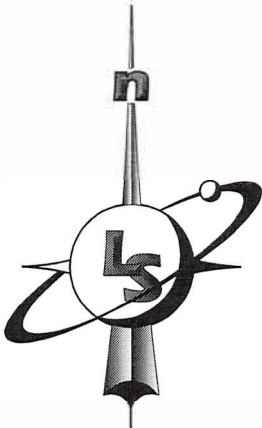
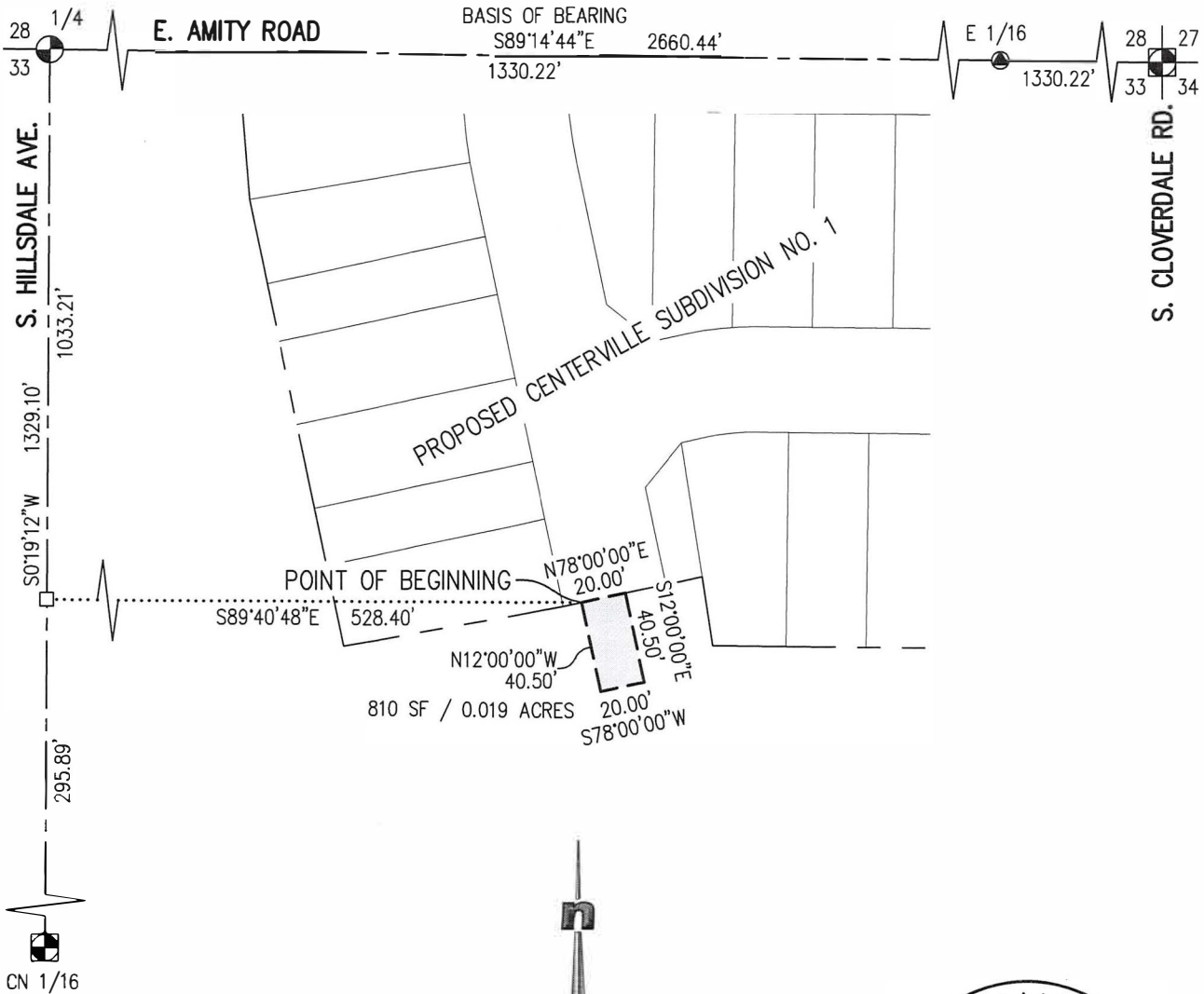
Thence N 12°00'00" W a distance of 40.50 feet to the **POINT OF BEGINNING**.

This easement contains 810 square feet (0.019 acres) and is subject to any other easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
November 1, 2023



CITY OF MERIDIAN SEWER & WATER EASEMENT
CENTERVILLE SUBDIVISION NO. 1
ENDURANCE HOLDINGS SOUTH PARCEL
 LOCATED IN THE NW 1/4 OF THE NE 1/4 OF SECTION 33, TOWNSHIP 3
 NORTH, RANGE 1 EAST, B.M., CITY OF MERIDIAN, ADA COUNTY, IDAHO



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