

ESMT-2022-0127 Apex Southeast Subdivision No. 2  
Sanitary Sewer Easement

**SANITARY SEWER EASEMENT**

THIS Easement Agreement, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ between Smith Brighton Inc. (“Grantor”), and the City of Meridian, an Idaho Municipal Corporation (“Grantee”);

WHEREAS, the Grantor desires to provide a sanitary sewer right-of-way across the premises and property hereinafter particularly bounded and described; and

WHEREAS, the sanitary sewer 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 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 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.



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.

(stamp)

\_\_\_\_\_  
Notary Signature  
My Commission Expires: \_\_\_\_\_

February 16, 2022  
APEX Southeast Subdivision No. 2  
Project No. 21-021  
Legal Description  
City of Meridian Sewer Easement

**Exhibit A**

A parcel of land for a sewer easement situated in a portion of Government Lot 4 and the Southwest 1/4 of the Northwest 1/4 of Section 5, Township 2 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at an aluminum cap marking the Northwest corner of said Section 5, which bears N00°04'35"W a distance of 2,671.16 feet from an aluminum cap marking the West 1/4 corner of said Section 5, thence following the westerly line of said Section 5, S00°04'35"E a distance of 1,259.39 feet;

Thence leaving said westerly line, N89°53'42"E a distance of 202.90 feet to the **POINT OF BEGINNING**.

Thence N89°53'42"E a distance of 25.00 feet;

Thence S00°04'35"E a distance of 128.34 feet;

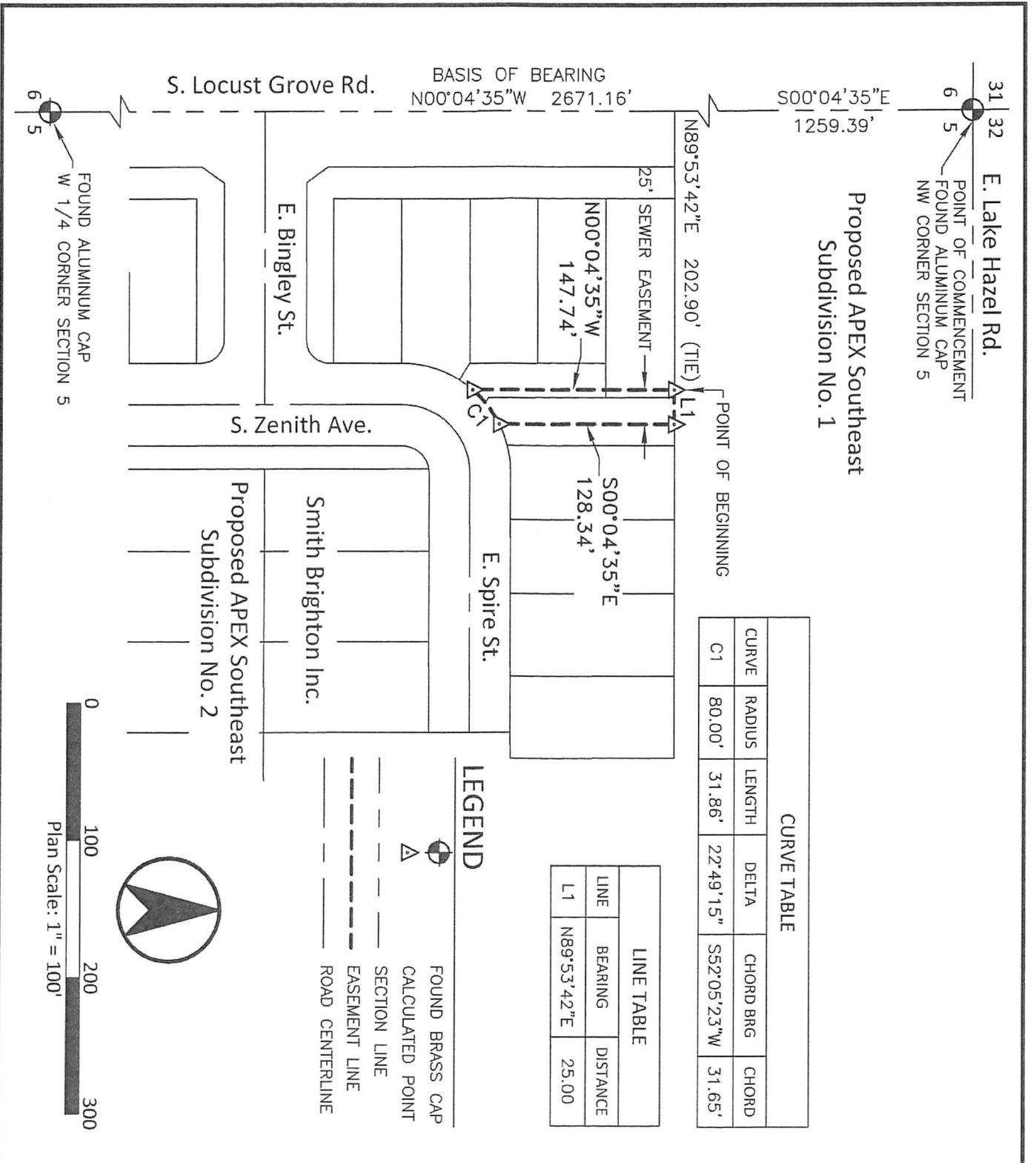
Thence 31.86 feet along the arc of a circular curve to the left, said curve having a radius of 80.00 feet, a delta angle of 22°49'15", a chord bearing of S52°05'23"W and a chord distance of 31.65 feet;

Thence N00°04'35"W a distance of 147.74 feet to the **POINT OF BEGINNING**.

Said easement description contains 3,418 Sq. Ft., 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 hereby made a part hereof.





Proposed APEX Southeast  
Subdivision No. 1

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	80.00'	31.86'	22°49'15"	S52°05'23"W	31.65'

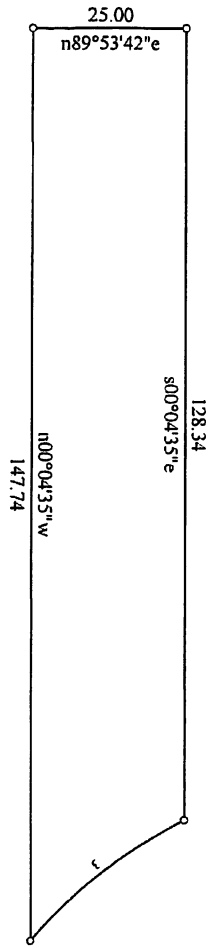
LINE TABLE		
LINE	BEARING	DISTANCE
L1	N89°53'42"E	25.00

**LEGEND**

- FOUND BRASS CAP
- CALCULATED POINT
- SECTION LINE
- EASEMENT LINE
- ROAD CENTERLINE

0 100 200 300  
Plan Scale: 1" = 100'

<p><b>km</b> ENGINEERING 5725 NORTH DISCOVERY WAY BOISE, IDAHO 83713 PHONE (208) 639-6939 kmen@idp.com</p>	<p><b>EXHIBIT B - CITY OF MERIDIAN SEWER EASEMENT APEX SOUTHEAST SUBDIVISION No. 2</b></p>	<p>Situated in a portion of Government Lot 4 and the SW 1/4 of the NW 1/4 of Section 5, T2N, R1E, B.M., City of Meridian, Ada County, Idaho</p>
	<p>DATE: February 7, 2022 PROJECT: 21-021</p>	<p>SHEET: 1 OF 1</p>



TitleCity of Meridian Sewer Easement		Date: 02-14-2022
Scale: 1 inch = 30 feet	File:220214 Sewer Easement Apex Se No. 2 - City of Meridian 21-021	
Tract 1: 0.078 Acres: 3418 Sq Feet: Closure = n02.5806w 0.00 Feet: Precision =1/108124: Perimeter = 333 Feet		
001=n89.5342e 25.00	003: Lt, R=80.00, Delta=22.4915 Bng=s52.0523w, Chd=31.65	
002=s00.0435e 128.34	004=n00.0435w 147.74	