

ESMT-2022-0138 Artemisia Subdivision
Sanitary Sewer and Water Main Easement

SANITARY SEWER AND WATER MAIN EASEMENT

THIS Easement Agreement, made this 15th day of March, 2022, between Idaho Auto Mall 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, 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 hereby covenants and agrees with the Grantee that should any part of the easement hereby granted become part of, or lie within the boundaries of any public street, then, to such extent such 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 it is lawfully seized and possessed of the aforementioned and described tract of land, and that it has a good and lawful right to convey said easement, and that it 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 Grantor has hereunto subscribed its signature the day and year first hereinabove written.

GRANTOR : IDAHO AUTO MALL LLC




David E. Blewett, Manager

STATE OF IDAHO)
) ss
County of Ada)

This record was acknowledged before me on March 3, 2022 (date) by David E. Blewett on behalf of Kendall Development Group LLC, Manager of Idaho Auto Mall LLC, in the following representative capacity: Manager





Notary Signature
Residing at Boise, Idaho
My Commission Expires: 7/13/22

EXHIBIT A

Legal Description City of Meridian Sanitary Sewer and Water Easements Artemisia Subdivision

Easements being located in the SE ¼ of the SE ¼ of Section 14, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho, and more particularly described as follows:

EASEMENT A

Commencing at a Brass Cap monument marking the southeast corner of said Section 14, from which an Aluminum Cap monument marking the southwest corner of the SE ¼ of said Section 14 bears N 89°19'41" W a distance of 2661.68 feet;

Thence along the easterly boundary of said SE ¼ of the SE ¼ N 0°32'59" E a distance of 297.50 feet to a point;

Thence leaving said boundary N 89°19'41" W a distance of 51.00 feet to a point on the westerly right-of-way of S. Linder Road being the **POINT OF BEGINNING**;

Thence leaving said right-of-way and continuing N 89°19'41" W a distance of 559.71 feet to a point;

Thence N 0°40'19" E a distance of 42.00 feet to a point;

Thence S 89°19'41" E a distance of 559.62 feet to a point on the westerly right-of-way of S. Linder Road;

Thence along said right-of-way S 0°32'59" W a distance of 42.00 feet to the **POINT OF BEGINNING**.

Said Easement A contains 23,506 square feet (0.540 acres) and is subject to any other easements existing or in use.

EASEMENT B

Commencing at a Brass Cap monument marking the southeast corner of said Section 14, from which an Aluminum Cap monument marking the southwest corner of the SE ¼ of said Section 14 bears N 89°19'41" W a distance of 2661.68 feet;

Thence along the easterly boundary of said SE ¼ of the SE ¼ N 0°32'59" E a distance of 1113.47 feet to a point;

Thence leaving said boundary N 89°33'51" W a distance of 246.47 feet to a point;

Thence S 87°30'50" W a distance of 65.23 feet to a point on the southerly right-of-way of Interstate 84 being the **POINT OF BEGINNING**,

Thence leaving said right-of-way S 0°32'59" W a distance of 20.03 feet to a point;

Thence S 87°30'50" W a distance of 334.58 feet to a point;

Thence N 89°36'31" W a distance of 275.80 feet to a point;

Thence N 0°23'29" E a distance of 20.00 feet to a point on said southerly right-of-way of Interstate 84;

Thence along said right-of-way S 89°36'31" E a distance of 275.30 feet to a point;

Thence continuing along said right-of-way N 87°30'50" E a distance of 335.13 feet to the **POINT OF BEGINNING**.

Said Easement B contains 12,208 square feet (0.280 acres) and is subject to any other easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
October 13, 2021

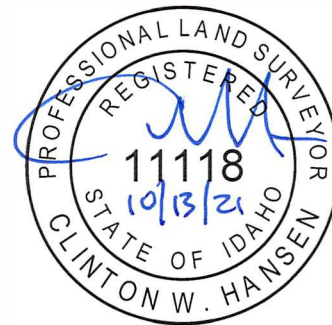
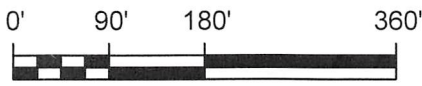
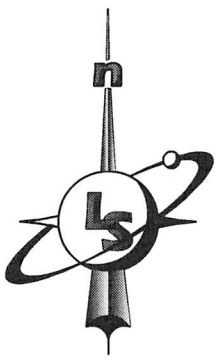
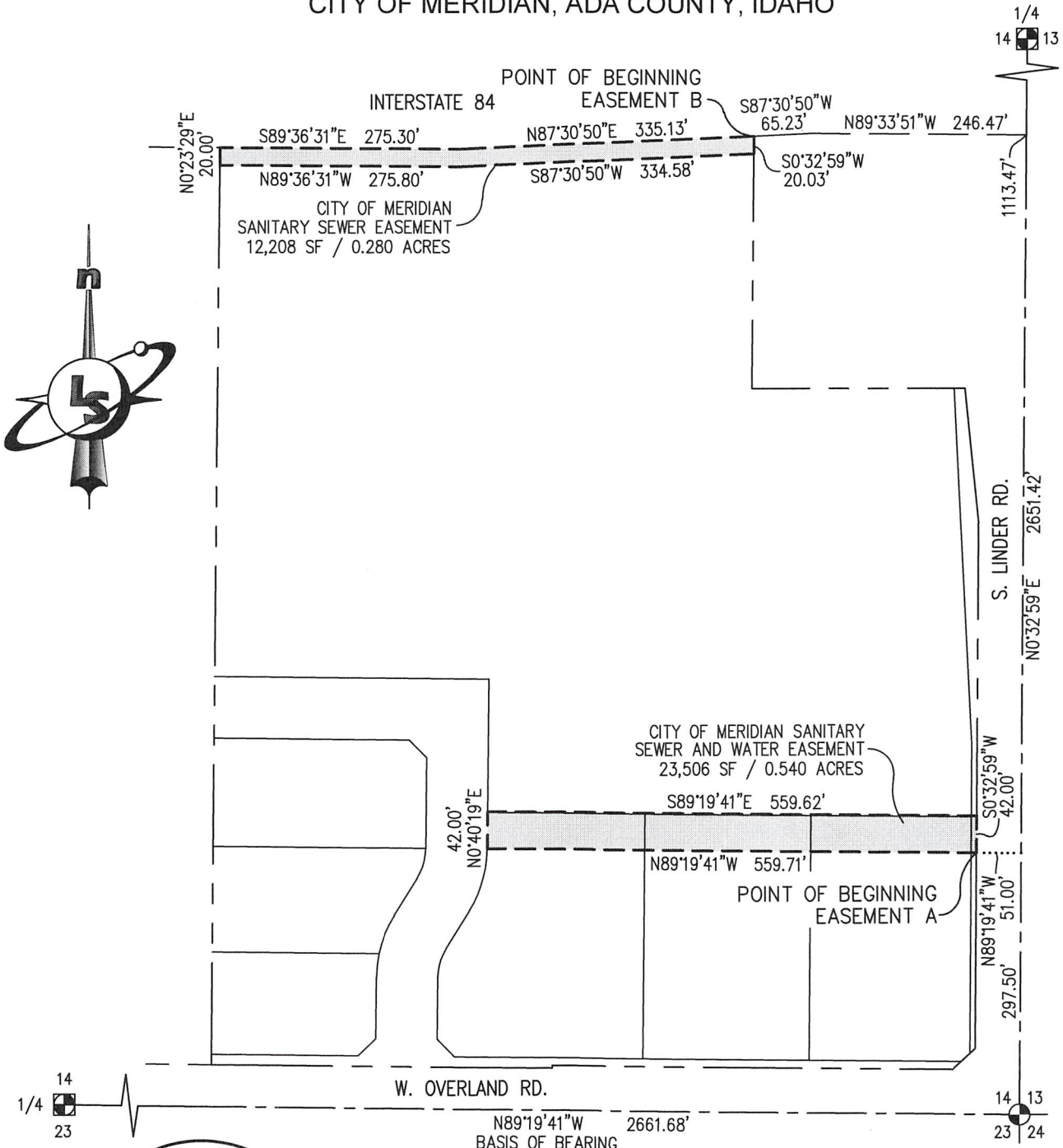


EXHIBIT B

CITY OF MERIDIAN SEWER & WATER EASEMENTS

ARTEMISIA SUBDIVISION

LOCATED IN THE SE 1/4 OF THE SE 1/4 OF SECTION 14, T.3N., R.1W., B.M.
CITY OF MERIDIAN, ADA COUNTY, IDAHO



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