

WATER MAIN EASEMENT

THIS Easement Agreement is made this 7th day of February, 2023 between the Ada County Highway District, a body politic and corporate of the State of Idaho ("Grantor"), the City of Meridian, an Idaho municipal corporation ("City"), and Veolia Water Idaho, Inc., an Idaho corporation ("Veolia"). City and Veolia shall be referred to collectively as "Grantees" herein.

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 mains, interconnect vault, and appurtenances are to be constructed by others; and

WHEREAS, it will be necessary for Grantees to maintain and service said water mains, interconnect vault, and appurtenances from time to time;

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 Grantees the right-of-way for a non-exclusive easement for the operation and maintenance of said water mains, interconnect vault, and appurtenances 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, an interconnect vault, and appurtenances, together with their maintenance, repair and replacement at the convenience of the Grantees, with the right of access, with notice provided to the Grantor as practicable, to such facilities at any and all times.

TO HAVE AND TO HOLD, the said easement and right-of-way unto the said Grantees, their successors and assigns forever.

IT IS EXPRESSLY UNDERSTOOD AND AGREED, by and between the parties hereto, that after making repairs or performing other maintenance, Grantees shall restore the area of the easement and adjacent property to that existent prior to undertaking such repairs and maintenance. However, Grantees 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.

CITY OF MERIDIAN

Robert E. Simison, Mayor 2-7-2023

Attest by Chris Johnson, City Clerk 2-7-2023

STATE OF IDAHO)
) ss
County of Ada)

This record was acknowledged before me on 2-7-2023 (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: _____



This record was acknowledged before me on January 23rd 2023 (date) by Marshall Thompson (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 Veolia Water Idaho, Inc. (name of entity on behalf of whom record was executed), in the following representative capacity: Vice President & General Manager (type of authority such as officer or trustee)

A circular notary seal for Mary Ann Michaelson. The outer ring contains the text "MARY ANN MICHAELSON" at the top and "STATE OF IDAHO" at the bottom. Inside the ring, the text "Comm. No. 20212150" is at the top, "NOTARY" is in the center, "PUBLIC" is below "NOTARY", and "Expires 04/29/2027" is at the bottom. The seal is surrounded by a decorative border of small dots.

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EXHIBIT A

**WATER EASEMENT
FOR THE
CITY OF MERIDIAN, IDAHO
& VEOLIA WATER IDAHO**

An easement located in the SW 1/4 of the SE 1/4 of Section 9, Township 3 North, Range 1 East, Boise Meridian, and being a part of *PARCEL IV* as shown on Record of Survey No. 12070, recorded as Instrument No. 2019-108209 in the office of the Recorder, Ada County, Idaho, more particularly described as follows:

Commencing at an aluminum cap monument marking the southwesterly corner of said SW 1/4 of the SE 1/4, from which an aluminum cap monument marking the southeasterly corner of said Section 9 bears S 89°14'44" E a distance of 2702.81 feet;

Thence S 89°14'44" E along the southerly boundary of said SW 1/4 of the SE 1/4 a distance of 1068.52 feet to a point on the extension of the westerly boundary of said *PARCEL IV*;

Thence leaving said southerly boundary N 0°40'35" E along said extension a distance of 42.00 feet to a point marking the southwesterly corner of said *PARCEL IV*, said point being on the northerly right-of-way of E. Franklin Road;

Thence S 89°14'44" E along the southerly boundary of said *PARCEL IV* and said northerly right-of-way a distance of 60.00 feet to the POINT OF BEGINNING;

Thence continuing S 89°14'44" E a distance of 56.95 feet to a point;

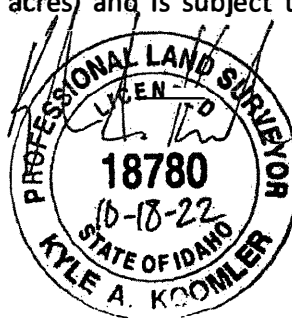
Thence leaving said southerly boundary and said northerly right-of-way N 0°45'16" E a distance of 35.00 feet to a point;

Thence N 89°14'44" W a distance of 57.00 feet to a point;

Thence S 0°40'35" W along a line 60.00 foot distant and parallel to the westerly boundary of said *PARCEL IV* a distance of 35.00 feet to the POINT OF BEGINNING;

This parcel contains 1,994 square feet (0.046 acres) and is subject to any other easements, existing or in use.

Prepared by: Kyle A. Koomler, PLS
Civil Survey Consultants; October 18, 2022



SKETCH TO ACCOMPANY WATER EASEMENT DESCRIPTION
FOR THE CITY OF MERIDIAN, IDAHO AND VEOLIA WATER
IDAHO LOCATED IN THE SW 1/4 OF THE SE 1/4 OF
SECTION 9, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE
1/4 MERIDIAN, ADA COUNTY, IDAHO

