

ESMT-2023-0015 The Oaks Subdivision No. 12
Sanitary Sewer and Water Main Easement No. 3

SANITARY SEWER AND WATER MAIN EASEMENT

THIS Easement Agreement, made this 7th day of February 2023, between
Toll Southwest 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.

GRANTEE: 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.

(stamp)

Notary Signature

My Commission Expires: _____

EXHIBIT A
Legal Description
City of Meridian Sanitary Sewer & Water Easements
The Oaks North Subdivision No. 12

An easement being located in the W ½ of Section 28, Township 4 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at a Brass Cap monument marking the southwest corner of said Section 28, from which a Brass Cap monument marking the southeast corner of the SW ¼ (S ¼ corner) of said Section 28 bears S 89°16'58" E a distance of 2635.25 feet;

Thence N 1°00'42" E along the west boundary of said SW ¼ of Section 28 a distance of 2630.85 feet to an Aluminum Cap monument marking the northwest corner of the SW ¼ of said Section 4;

Thence along the north boundary of said SW ¼ S 89°21'17" E a distance of 1887.15 feet to the **POINT OF BEGINNING**;

Thence leaving said boundary N 0°45'26" E a distance 5.88 feet to a point;

Thence S 89°14'34" E a distance of 40.00 feet to a point;

Thence S 0°45'26" W a distance of 24.00 feet;

Thence N 89°14'34" W a distance of 40.00 feet to a point;

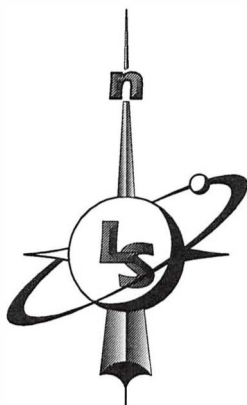
Thence N 0°45'26" E a distance of 18.12 feet to the **POINT OF BEGINNING**.

Said easement contains 960 square feet (0.022 acres) and is subject to any other easements existing or in use.

Clinton W. Hansen, PLS
Land Solutions, PC
January 13, 2023



29 28
 1/4
 N. McDERMOTT RD.
 N1°00'42"E 2630.85'
 1887.15'
 S89°21'17"E
 40.00'
 S89°14'34"E
 40.00'
 S0°45'26"W 24.00'
 2622.24'
 735.09'
 C 1/4
 POINT OF BEGINNING
 N0°45'26"E 18.12'
 960 SF/0.022 ACRES
 N. RUSTIC OAK WAY
 THE OAKS NORTH SUBD. NO. 12
 N0°43'41"E 2634.11'
 29 28
 32 33
 W. McMILLAN ROAD
 BASIS OF BEARING
 S89°16'58"E 2635.25'
 28 33
 1/4



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