

ESMT-2023-0009 The Oaks North Subdivision No. 12 Sanitary
Sewer and Water Main Easement No. 1

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 Easement
The Oaks North Subdivision No. 12

An easement being located in the SW ¼ 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 2494.89 feet to a point;

Thence leaving said boundary S 89°21'17" E a distance of 25.00 feet to a point on the easterly right-of-way of N. McDermott Road, the **POINT OF BEGINNING**;

Thence leaving said right-of-way and continuing S 89°21'17" E a distance 60.00 feet to a point;

Thence S 1°00'42" W a distance of 30.00 feet to a point;

Thence N 89°21'17" W a distance of 60.00 feet to a point on the easterly right-of-way of N. McDermott Road;

Thence along said right-of-way N 1°00'42" E a distance of 30.00 feet to the **POINT OF BEGINNING**.

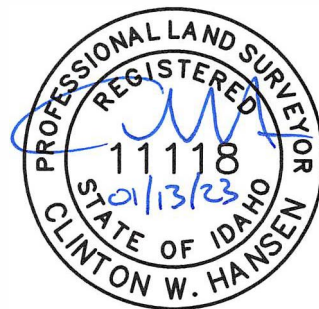
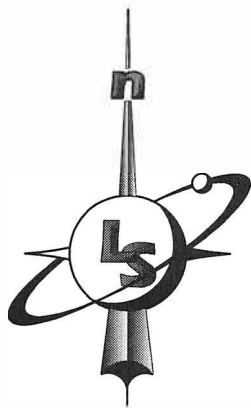
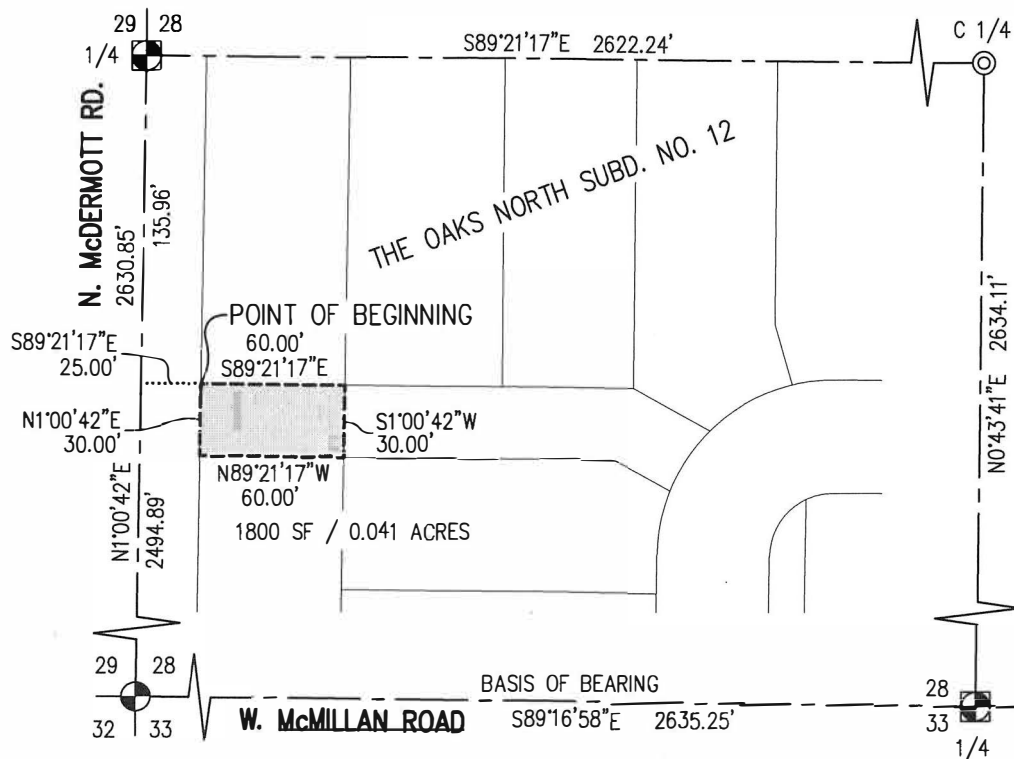
Said easement contains 1,800 square feet (0.041 acres) and is subject to any other easements existing or in use.

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



CITY OF MERIDIAN SEWER & WATER EASEMENT

THE OAKS NORTH SUBDIVISION NO. 12
 LOCATED IN THE W 1/2 OF SECTION 28, T.4N., R.1W., B.M.
 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