

Project Name (Subdivision):

Eagle View Landing Bldg 4 & 5

Water Main Easement Number: 01

Identify this Easement by sequential number if Project contains more than one Water Main easement.
(See Instructions for additional information).

WATER MAIN EASEMENT

THIS Easement Agreement, made this ____ day of _____, 20__ between BVABC Eagle View Entertainment No. 1, LLC ("Grantor"), and the City of Meridian, an Idaho Municipal Corporation ("Grantee");

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 main 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 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 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.

THE GRANTOR covenants and agrees that Grantor shall not place or allow to be placed any permanent structures or obstructions within the easement area that would interfere with Grantee's use of said easement, including, but not limited to, buildings, trash enclosures, carports, sheds, fences, trees, or deep-rooted shrubs.

THE GRANTOR covenants and agrees with the Grantee that should any part of the right-of-way and easement hereby granted shall become part of, or lie within the boundaries of any

public street, then, to such extent, such right-of-way and 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 Grantor is lawfully seized and possessed of the aforementioned and described tract of land, and that Grantor has a good and lawful right to convey said easement, and that Grantor 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.

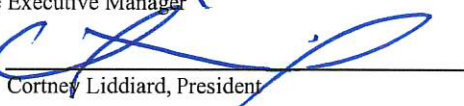
IN WITNESS WHEREOF, the said parties of the first part have hereunto subscribed their signatures the day and year first herein above written.

GRANTOR:

BVABC EAGLE VIEW ENTERTAINMENT NO. 1, LLC

By: BV Management Services, Inc., an Idaho corporation,
the Executive Manager

By


Cortney Liddiard, President

STATE OF IDAHO)

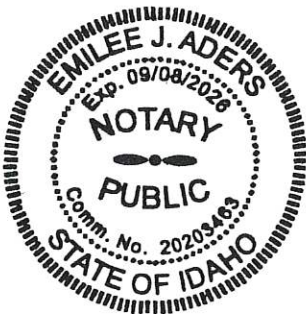
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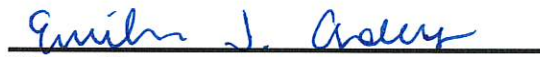
County of ~~Ada~~

~~Conneville~~

This record was acknowledged before me on 08/29/2023 (date) by Cortney Liddiard
(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 BVABC Eagle View Entertainment No. 1, LLC
(name of entity on behalf of whom record was executed), in the following representative
capacity: President of the Executive Manager (type of authority such as officer or trustee)

(stamp)




Notary Signature

My Commission Expires: 09/08/2026

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: _____

August 24, 2023

Job Number: ID-8012-23

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Exhibit A

UTILITY EASEMENT
For: BVABC EAGLE VIEW ENTERTAINMENT NO 1 LLC

A UTILITY EASEMENT OVER AN EXISTING WATERLINE, SAID EASEMENT LIES WITHIN LOT 20 BLOCK 1 OF RACKHAM SUBDIVISION AS RECORDED IN ADA COUNTY IN BOOK 120 PAGE 18582, SAID PARCEL OF LAND IS SITUATED IN THE NE 1/4 SW1/4 OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MARKING THE CENTER 1/4 CORNER OF SAID SECTION 16, FROM WHICH THE SOUTH 1/4 CORNER BEARS S.00°05'25"E 2653.59 FEET, THENCE S.00°05'25"E., ALONG THE MERIDIONAL CENTERLINE OF SAID SECTION 16, 262.22 FEET TO A POINT ON THE EAST LINE OF SAID LOT 20 BLOCK 1, SAID POINT BEING THE **POINT OF BEGINNING**;

THENCE S.00°05'25"E., ALONG THE EAST LINE OF SAID LOT 20, 20.00 FEET TO A POINT;
THENCE S.89°54'45"W. 37.90 FEET TO A POINT;
THENCE N.44°35'41"W. 49.96 FEET TO A POINT;
THENCE N.89°35'40"W. 389.24 FEET TO A POINT;
THENCE S.85°31'40"W. 234.57 FEET TO A POINT;
THENCE S.82°20'00"W. 42.79 FEET TO A POINT;
THENCE N.51°33'15"W. 27.75 FEET TO A POINT LYING ON THE NORTH LINE OF SAID LOT 20;
THENCE ALONG THE NORTH LINE OF SAID LOT 20 FOR THE NEXT 3 CALLS;
THENCE N.82°20'00"E. 62.59 FEET TO A BRASS CAP RIGHT OF WAY MONUMENT;
THENCE N.85°31'40"E. 235.97 FEET TO A 5/8 INCH IRON PIN;
THENCE S.89°35'40"E. 398.38 FEET TO A POINT;
THENCE S.44°35'41"E. 49.86 FEET TO A POINT;
THENCE N.89°54'45"E. 29.51 FEET TO THE **POINT OF BEGINNING**.





SCALE: 1"=100'

UTILITY EASEMENT FOR BVABC EAGLE VIEW ENTERTAINMENT NO. 1 LLC,
SITUATED IN LOT 20 BLOCK 1 OF RACKHAM SUBDIVISION, LYING IN THE
NE 1/4 SW 1/4 SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE
MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO 2023

INTERSTATE 84

LOT 20 BLOCK 1
RACKHAM SUBDIVISION
A.P.N. R7319432000

N85°31'40"E 235.97'
S85°31'40"W 234.57'
N89°35'40"E 398.38'
S89°35'40"W 389.24'

C 1/4 CORNER
SECTION 16

P.O.C.

262.22'

P.O.B.

PARCEL A ROS 13491
A.P.N. R7555000285

S 1/4 CORNER
SECTION 16

2371.37'
S0°05'25"E 2653.59'



- LEGEND:**
- ▲ CALCULATED POINT
 - ⊕ SECTION CORNER
 - ⊙ FOUND 5/8 INCH IRON PIN
 - ⊙ FOUND BRASS CAP AS NOTED
 - SECTION LINE
 - ||||| EASEMENT AREA
 - BOUNDARY LINE
 - P.O.B. POINT OF BEGINNING
 - P.O.C. POINT OF COMMENCEMENT
 - A.P.N. ASSESSORS PARCEL NUMBER

Line Table		
Line #	Length	Direction
L1	20.00'	S0°05'25"E
L2	37.90'	S89°54'45"W
L3	49.86'	N44°35'41"W
L4	42.79'	S82°20'00"W
L5	27.75'	N51°33'15"W
L6	62.59'	N82°20'00"E
L7	49.86'	S44°35'41"E
L8	28.51'	N89°54'45"E

HORROCKS
ENGINEERS

2775 West Navigator Dr., Suite 210
Meridian, ID 83642

(208) 895-2520
www.horrocks.com

EXHIBIT B

UTILITY EASEMENT

DRAWING INFO	
DATE	08/25/23
SCALE	1"=100'
REV #	DATE
SEE SHEET 1 FOR DESCRIPTION	
PROJ NO	ID-9012-23



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