

Project Name (Subdivision):

Gem Prep: Meridian North

Water Main Easement Number: No. 1

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 10 day of Sept, 2020 between Gem Prep: Meridian North, 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, 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 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

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:_____

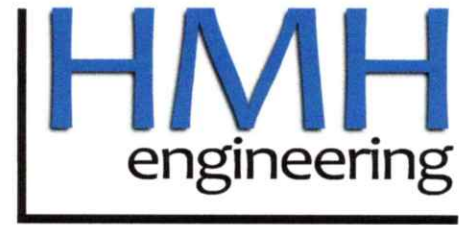


Exhibit A:
Gem Innovation School – Water Easement Description No. 1

A portion of Parcel S0428325600 recorded as Warranty Deed Instrument No. 2019-073908, also shown on Record of Survey No. 12188 filed in Records of Ada County, lying in the Northwest 1/4 of the Southwest 1/4 of Section 28, Township 4 North, Range 1 West, Meridian City, Boise Meridian, Ada County, Idaho, more particularly described as follows.

COMMENCING at the Southwest Corner of Section 28, monumented by a found 3 1/2-inch Brass Cap as described in Corner Record Instrument No. 2020-020779, from which the West 1/4 Corner of Section 28 bears North 01°00'44" East, 2630.80 feet, monumented by a found 2-inch Aluminum Cap, as described in Corner Record Instrument No. 2020-020780,

- A. Thence along the West Section line of Section 28, North 01°00'44" East, 1,315.33 feet to the Southwest corner of Parcel S0428325600 the South 1/16th Corner on the Section line between Sections 28 and 29, monumented by a found 1/2-inch rebar with no cap;
 - B. Thence along the South line of said Parcel, South 89°19'10" East, 27.00 feet to a survey monument to be set, stamped "PLS 7612";
 - C. Thence continuing along said South line, South 89°19'10" East, 423.06 feet to the Southeast corner of said Parcel, monumented by a found 5/8-inch rebar with cap stamped "Land Solutions PLS 1118";
 - D. Thence along the East line of said Parcel, North 01°00'44" East, 169.50 feet to the **POINT OF BEGINNING**;
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- 1. Thence North 88°59'18" West, 22.50 feet;
 - 2. Thence South 01°00'42" West, 47.07 feet;
 - 3. Thence North 88°59'20" West, 49.21 feet;

4. Thence South 01°00'42" West, 10.50 feet;
5. Thence North 88°59'18" West, 10.00 feet;
6. Thence North 01°00'42" East, 10.50 feet;
7. Thence North 88°59'20" West, 205.79 feet;
8. Thence North 01°00'42" East, 104.21 feet;
9. Thence North 88°59'59" West, 10.50 feet;
10. Thence North 01°00'01" East, 10.00 feet;
11. Thence South 88°59'59" East, 10.50 feet;
12. Thence North 01°00'42" East, 290.00 feet;
13. Thence North 88°59'59" West, 10.50 feet;
14. Thence North 01°00'01" East, 10.00 feet;
15. Thence South 88°59'59" East, 10.50 feet;
16. Thence North 01°00'42" East, 165.80 feet to the new Southerly Right-of-Way for Gem Street;
17. Thence along said new Right-of-Way South 89°21'13" East, 18.04 feet;
18. Thence continuing along said new Right-of-Way, along the arc a curve to the left 1.96 feet, having a radius of 83.50 feet, a central angle of 01°20'43" and subtended by a chord bearing North 89°58'25" East, 1.96 feet to a survey monument to be set, stamped "PLS 7612";
19. Thence South 01°00'42" West, 560.16 feet to a survey monument to be set, stamped "PLS 7612";
20. Thence South 88°59'20" East, 215.00 feet to a survey monument to be set, stamped "PLS 7612";
21. Thence North 01°00'42" East, 57.07 feet to a survey monument to be set, stamped "PLS 7612";

22. Thence South 88°59'18" East, 52.50 feet to a survey monument to be set, stamped "PLS 7612";

23. Thence South 01°00'44" West, 30.00 feet to the **POINT OF BEGINNING**.

Containing 19,204 square feet or 0.440 acres, more or less.

See the Attached Water Easement No. 1 Sketch.

END OF DESCRIPTION

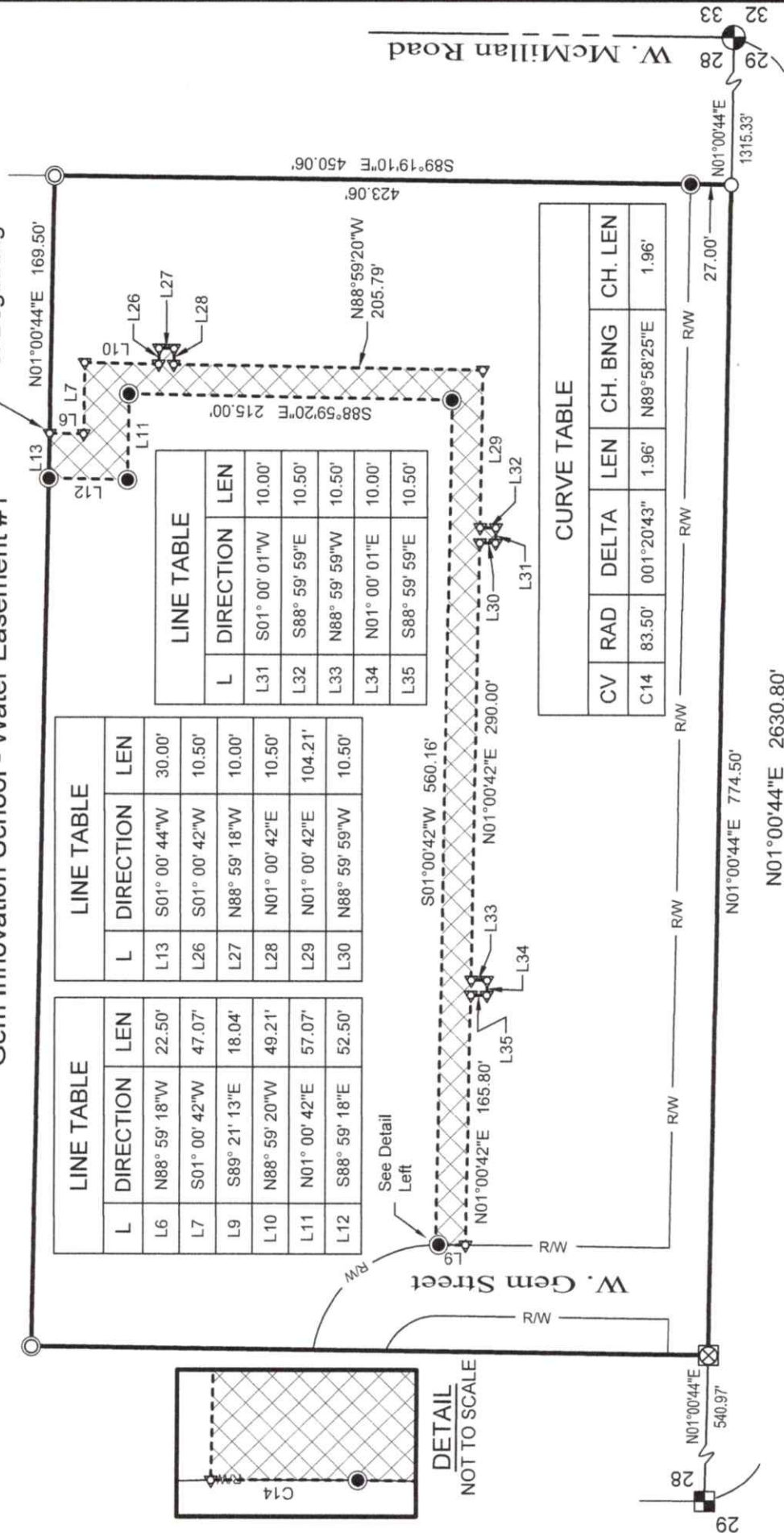
Prepared By:
Timothy J. Fox, PLS 7612
Senior Project Manager



TF:JR

EXHIBIT B

Gem Innovation School - Water Easement #1



L	DIRECTION	LEN
L31	S01° 00' 01"W	10.00'
L32	S88° 59' 59"E	10.50'
L33	N88° 59' 59"W	10.50'
L34	N01° 00' 01"E	10.00'
L35	S88° 59' 59"E	10.50'

CV	RAD	DELTA	LEN	CH. BNG	CH. LEN
C14	83.50'	001° 20' 43"	1.96'	N89° 58' 25"E	1.96'

L	DIRECTION	LEN
L13	S01° 00' 44"W	30.00'
L26	S01° 00' 42"W	10.50'
L27	N88° 59' 18"W	10.00'
L28	N01° 00' 42"E	10.50'
L29	N01° 00' 42"E	104.21'
L30	N88° 59' 59"W	10.50'

L	DIRECTION	LEN
L6	N88° 59' 18"W	22.50'
L7	S01° 00' 42"W	47.07'
L9	S89° 21' 13"E	18.04'
L10	N88° 59' 20"W	49.21'
L11	N01° 00' 42"E	57.07'
L12	S88° 59' 18"E	52.50'

LEGEND

- BOUNDARY SECTION
- NEW EASEMENT
- SURVEY MONUMENT
- CALCULATION POINT
- EASEMENT AREA



SCALE: 1"=100'

FOX LAND SURVEYS

(208) 342-7957

