

Project Name (Subdivision):

Bainbridge Subdivision No.11

Sanitary Sewer & Water Main Easement Number:

1

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

SANITARY SEWER AND WATER MAIN EASEMENT

THIS Easement Agreement, made this day of 20 between Brighton Development, Inc. (“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, 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 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.

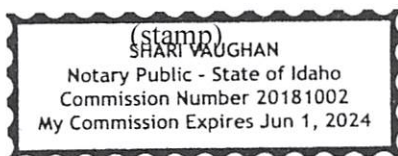
GRANTOR: **Brighton Development Inc.**



Jonathan D. Wardle, President

STATE OF IDAHO)
) ss
County of Ada)

This record was acknowledged before me on 7/27/2020 (date) by Jonathan D. Wardle (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 **Brighton Development Inc.** (name of entity on behalf of whom record was executed), in the following representative capacity: President (type of authority such as officer or trustee)



Shari Vaughan
Notary Signature
My Commission Expires: 6-1-2024

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:_____



July 24, 2020
Bainbridge Subdivision No. 11
Project No. 19-136
Legal Description
City of Meridian Sewer and Water Easement

EXHIBIT A

A parcel of land for a City of Meridian Sewer and Water Easement, situated in a portion of the North 1/2 of the Northeast 1/4 and a portion of the East 1/2 of the Northeast 1/4 of the Northwest 1/4 of Section 27, Township 4 North, Range 1 West, Boise Meridian, City of Meridian, Ada county, Idaho, and being more particularly described as follows:

Commencing at a found aluminum cap marking the Northeast corner of said Section 27, which bears S89°17'35"E a distance of 2,647.29 feet from a found aluminum cap marking the North 1/4 corner of said Section 27;

Thence following the northerly line of said Northeast 1/4, N89°17'35"W a distance of 1,687.00 feet to a point;

Thence leaving said northerly line, S00°42'25"W a distance of 245.00 feet to **POINT OF BEGINNING 1.**

Thence S00°42'24"W a distance of 56.00 feet to a point;

Thence N89°17'35"W a distance of 41.50 feet to a point;

Thence 25.92 feet along a circular curve to the left, said curve having a radius of 16.50 feet, a delta angle of 90°00'01", a chord bearing of S45°42'25"W and a chord distance of 23.33 feet to a point;

Thence S00°42'24"W a distance of 561.24 feet to a point hereinafter referred to as **POINT "A"**;

Thence 26.43 feet along a circular curve to the left, said curve having a radius of 16.50 feet, a delta angle of 91°47'34", a chord bearing of S45°11'23"E and a chord distance of 23.70 feet to a point;

Thence 24.22 feet along a reverse curve to the right, said curve having a radius of 1,278.00 feet, a delta angle of 01°05'09", a chord bearing of N89°27'25"E and a chord distance of 24.22 feet to a point;

Thence N90°00'00"E a distance of 16.77 feet to a point;

Thence S00°00'00"E a distance of 56.00 feet to a point;

Thence S90°00'00"W a distance of 16.77 feet to a point;

Thence 13.21 feet along a circular curve to the left, said curve having a radius of 1,222.00 feet, a delta angle of 00°37'10", a chord bearing of S89°41'25"W and a chord distance of 13.21 feet to a point;

Thence S41°27'32"W a distance of 22.45 feet to a point;

Thence S01°21'52"E a distance of 124.66 feet to a point on the northerly right-of-way line of W. Lost Rapids Dr.;

Thence following said northerly right-of-way line the following three (3) courses:

1. 16.00 feet along the arc of a circular curve to the left, said curve having a radius of 1,415.87 feet, a delta angle of 00°38'51", a chord bearing of S87°01'26"W and a chord distance of 16.00 feet to a 5/8-inch rebar;
2. S86°42'00"W a distance of 27.55 feet to a 5/8-inch rebar;
3. 37.52 feet along the arc of a circular curve to the left, said curve having a radius of 1,104.50 feet, a delta angle of 01°56'47", a chord bearing of S85°43'37"W and a chord distance of 37.52 feet to a point;

Thence leaving said northerly right-of-way line, N01°21'52"W a distance of 124.11 feet to a point;

Thence N48°40'09"W a distance of 24.25 feet to a point;

Thence 195.40 feet along the arc of a circular curve to the left, said curve having a radius of 1,222.00 feet, a delta angle of $09^{\circ}09'42''$, a chord bearing of $S79^{\circ}26'45''W$ and a chord distance of 195.19 feet to a point;
Thence $S74^{\circ}51'53''W$ a distance of 93.37 feet to a point;
Thence 625.69 feet along the arc of a circular curve to the right, said curve having a radius of 320.00 feet, a delta angle of $112^{\circ}01'48''$, a chord bearing of $N49^{\circ}07'12''W$ and a chord distance of 530.68 feet to a point;
Thence $N06^{\circ}53'42''E$ a distance of 172.47 feet to a point;
Thence 25.13 feet along the arc of a circular curve to the left, said curve having a radius of 16.50 feet, a delta angle of $87^{\circ}15'37''$, a chord bearing of $N36^{\circ}44'07''W$ and a chord distance of 22.77 feet to a point;
Thence $N80^{\circ}21'55''W$ a distance of 123.89 feet to a point on the easterly right-of-way line of N. Tree Farm Way;
Thence following said easterly right-of-way line, 81.01 feet along the arc of a circular curve to the left, said curve having a radius of 1,922.10 feet, a delta angle of $02^{\circ}24'53''$, a chord bearing of $N09^{\circ}38'03''E$ and a chord distance of 81.00 feet to a point;
Thence leaving said easterly right-of-way line, $S80^{\circ}21'55''E$ a distance of 118.44 feet to a point;
Thence 26.71 feet along the arc of a circular curve to the left, said curve having a radius of 16.50 feet, a delta angle of $92^{\circ}44'23''$, a chord bearing of $N53^{\circ}15'53''E$ and a chord distance of 23.89 feet to a point;
Thence $N06^{\circ}53'42''E$ a distance of 86.06 feet to a point;
Thence 106.05 feet along the arc of a circular curve to the right, said curve having a radius of 72.50 feet, a delta angle of $83^{\circ}48'43''$, a chord bearing of $N48^{\circ}48'03''E$ and a chord distance of 96.85 feet to a point;
Thence $S89^{\circ}17'35''E$ a distance of 324.53 feet to a point;
Thence 35.79 feet along the arc of a circular curve to the right, said curve having a radius of 100.00 feet, a delta angle of $20^{\circ}30'12''$, a chord bearing of $S79^{\circ}02'29''E$ and a chord distance of 35.59 feet to a point;
Thence 286.28 feet along the arc of a reverse curve to the left, said curve having a radius of 400.00 feet, a delta angle of $41^{\circ}00'24''$, a chord bearing of $S89^{\circ}17'35''E$ and a chord distance of 280.21 feet to a point;
Thence 35.79 feet along the arc of a reverse curve to the right, said curve having a radius of 100.00 feet, a delta angle of $20^{\circ}30'12''$, a chord bearing of $N80^{\circ}27'19''E$ and a chord distance of 35.59 feet to a point;
Thence $S89^{\circ}17'35''E$ a distance of 42.87 feet to **POINT OF BEGINNING 1.**

EXCEPTING THEREFROM:

Commencing at a point previously referred to as **POINT "A"**, thence $S84^{\circ}43'59''W$ a distance of 56.30 feet to **POINT OF BEGINNING 2.**

Thence 24.27 feet along the arc of a circular curve to the right, said curve having a radius of 16.50 feet, a delta angle of $84^{\circ}15'31''$, a chord bearing of $S42^{\circ}50'16''W$ and a chord distance of 22.14 feet to a point;
Thence 175.40 feet along the arc of a reverse curve to the left, said curve having a radius of 1,278.00 feet, a delta angle of $07^{\circ}51'49''$, a chord bearing of $S81^{\circ}02'01''W$ and a chord distance of 175.26 feet to a point;
Thence 29.84 feet along the arc of a reverse curve to the right, said curve having a radius of 16.50 feet, a delta angle of $103^{\circ}36'17''$, a chord bearing of $N51^{\circ}05'44''W$ and a chord distance of 25.93 feet to a point hereinafter referred to as **POINT B"**;
Thence $N00^{\circ}42'24''E$ a distance of 573.43 feet to a point;
Thence 28.99 feet along the arc of a circular curve to the right, said curve having a radius of 16.50 feet, a delta angle of $100^{\circ}40'19''$, a chord bearing of $N51^{\circ}02'34''E$ and a chord distance of 25.40 feet to a point;

Thence 169.87 feet along the arc of a reverse curve to the left, said curve having a radius of 456.00 feet, a delta angle of 21°20'38", a chord bearing of S89°17'35"E and a chord distance of 168.89 feet to a point;

Thence 28.99 feet along the arc of a reverse curve to the right, said curve having a radius of 16.50 feet, a delta angle of 100°40'18", a chord bearing of S49°37'45"E and a chord distance of 25.40 feet to a point;

Thence S00°42'24"W a distance of 269.67 feet to a point;

Thence N89°17'36"W a distance of 142.00 feet to a point;

Thence S00°42'24"W a distance of 20.00 feet to a point;

Thence S89°17'36"E a distance of 142.00 feet to a point;

Thence S00°42'24"W a distance of 253.92 feet to **POINT OF BEGINNING 2.**

ALSO EXCEPTING THEREFROM:

Commencing at a point previously referred to as **POINT "B"**, thence S67°18'37"W a distance of 61.02 feet to **POINT OF BEGINNING 3.**

Thence 21.36 feet along the arc of a circular curve to the right, said curve having a radius of 16.50 feet, a delta angle of 74°09'29", a chord bearing of S37°47'09"W and a chord distance of 19.90 feet to a point;

Thence S74°51'53"W a distance of 51.67 feet to a point;

Thence 371.65 feet along the arc of a circular curve to the right, said curve having a radius of 264.00 feet, a delta angle of 80°39'31", a chord bearing of N64°48'21"W and a chord distance of 341.71 feet to a point;

Thence S89°17'35"E a distance of 372.68 feet to a point hereinafter referred to as **POINT "C"**;

Thence S00°42'24"W a distance of 111.66 feet to **POINT OF BEGINNING 3.**

ALSO EXCEPTING THEREFROM:

Commencing at a point previously referred to as **POINT "C"**,

Thence N00°42'24"E a distance of 20.00 feet to **POINT OF BEGINNING 4.**

Thence N89°17'35"W a distance of 94.00 feet to a point;

Thence N00°42'24"E a distance of 256.00 feet to a point;

Thence N89°17'36"W a distance of 20.00 feet to a point;

Thence S00°42'24"W a distance of 256.00 feet to a point;

Thence N89°17'35"W a distance of 267.10 feet to a point;

Thence 122.84 feet along the arc of a circular curve to the right, said curve having a radius of 264.00 feet, a delta angle of 26°39'39", a chord bearing of N06°26'08"W and a chord distance of 121.74 feet to a point;

Thence N06°53'42"E a distance of 272.79 feet to a point;

Thence S89°17'35"E a distance of 224.83 feet to a point;

Thence N00°42'25"E a distance of 20.00 feet to a point;

Thence N89°17'35"W a distance of 222.66 feet to a point;

Thence N06°53'42"E a distance of 79.74 feet to a point;

Thence 24.14 feet along the arc of a circular curve to the right, said curve having a radius of 16.50 feet, a delta angle of 83°48'43", a chord bearing of N48°48'03"E and a chord distance of 22.04 feet to a point;

Thence S89°17'35"E a distance of 323.16 feet to a point;

Thence 25.92 feet along the arc of a circular curve to the right, said curve having a radius of 16.50 feet, a delta angle of 89°59'59", a chord bearing of S44°17'35"E and a chord distance of 23.33 feet to a point; Thence S00°42'24"W a distance of 489.50 feet to **POINT OF BEGINNING 4**.

Said easement description contains 5.356 acres, more or less, and is subject to any existing easements and/or rights-of-way of record or implied.

Attached hereto is Exhibit B and by this reference is hereby made a part hereof.



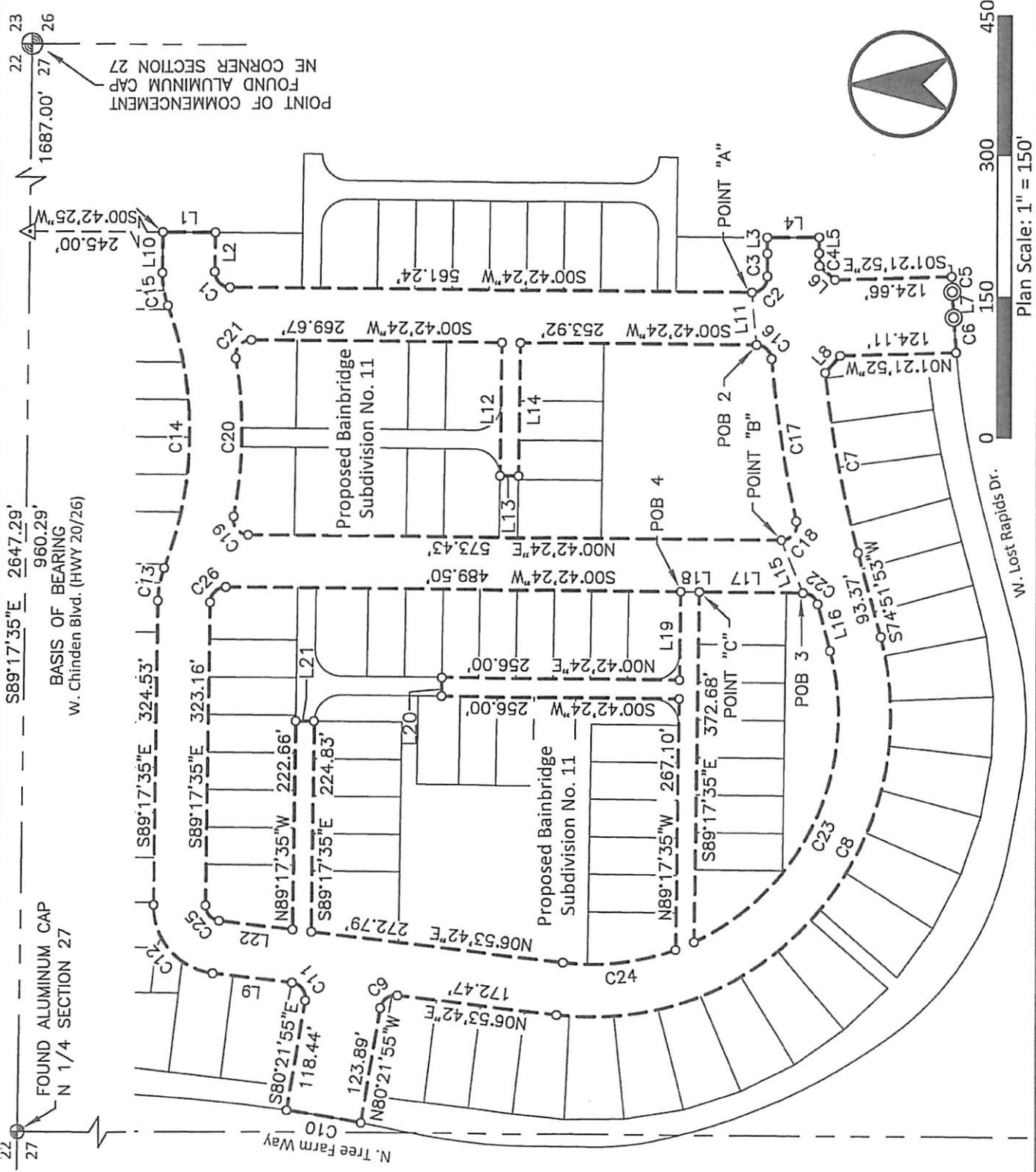
EXHIBIT B - Meridian Sewer and Water Easement Bainbridge Subdivision No. 11

Portion of N 1/2 of NE 1/4 and the E 1/2 of NE 1/4 of NW 1/4 of
Section 27, T4N., R1W., B.M., City of Meridian, Ada County, ID

DATE: JULY 2020
PROJECT: 19-136

SHEET: 1 OF 2

KME ENGINEERING
9233 WEST STATE STREET
BOISE, IDAHO 83714
PHONE (208) 639-6939
kmeengllp.com



Plan Scale: 1" = 150'

CURVE TABLE						
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD	
C1	16.50'	25.92'	90°00'01"	S45°42'25"W	23.33'	
C2	16.50'	26.43'	91°47'34"	S45°11'23"E	23.70'	
C3	1278.00'	24.22'	1°05'09"	N89°27'25"E	24.22'	
C4	1222.00'	13.21'	0°37'10"	S89°41'25"W	13.21'	
C5	1415.87'	16.00'	0°38'51"	S87°01'26"W	16.00'	
C6	1104.50'	37.52'	1°56'47"	S85°43'37"W	37.52'	
C7	1222.00'	195.40'	9°09'42"	S79°26'45"W	195.19'	
C8	320.00'	625.69'	112°01'48"	N49°07'12"W	530.68'	
C9	16.50'	25.13'	87°15'37"	N36°44'07"W	22.77'	
C10	1922.10'	81.01'	2°24'53"	N9°38'03"E	81.00'	
C11	16.50'	26.71'	92°44'23"	N53°15'53"E	23.89'	
C12	72.50'	106.05'	83°48'43"	N48°48'03"E	96.85'	
C13	100.00'	35.79'	20°30'12"	S79°02'29"E	35.59'	
C14	400.00'	286.28'	41°00'24"	S89°17'35"E	280.21'	
C15	100.00'	35.79'	20°30'12"	N80°27'19"E	35.59'	
C16	16.50'	24.27'	84°15'31"	S42°50'16"W	22.14'	
C17	1278.00'	175.40'	7°51'49"	S81°02'01"W	175.26'	
C18	16.50'	29.84'	103°36'17"	N51°05'44"W	25.93'	
C19	16.50'	28.99'	100°40'19"	N51°02'34"E	25.40'	
C20	456.00'	169.87'	21°20'38"	S89°17'35"E	168.89'	
C21	16.50'	28.99'	100°40'18"	S49°37'45"E	25.40'	
C22	16.50'	21.36'	74°09'29"	S37°47'09"W	19.90'	
C23	264.00'	371.65'	80°39'31"	N64°48'21"W	341.71'	
C24	264.00'	122.84'	26°39'39"	N62°6'08"W	121.74'	
C25	16.50'	24.14'	83°48'43"	N48°48'03"E	22.04'	
C26	16.50'	25.92'	89°59'59"	S44°17'35"E	23.33'	

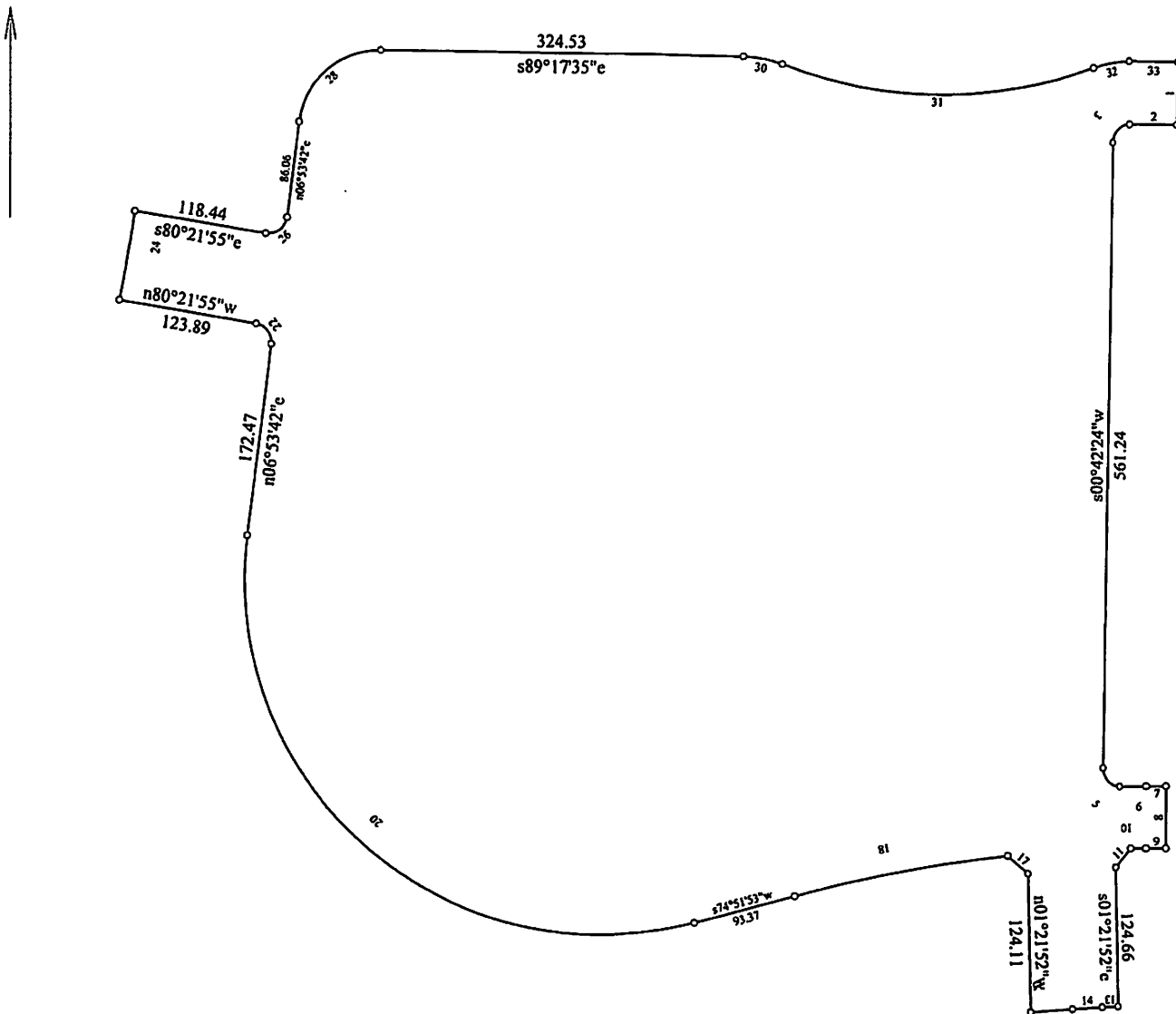
LINE TABLE		
LINE	BEARING	DISTANCE
L1	SO°42'24"W	56.00
L2	N89°17'35"W	41.50
L3	N90°00'00"E	16.77
L4	SO°00'00"E	56.00
L5	S90°00'00"W	16.77
L6	S41°27'32"W	22.45
L7	S86°42'00"W	27.55
L8	N48°40'09"W	24.25
L9	N6°53'42"E	86.06
L10	S89°17'35"E	42.87
L11	S84°43'59"W	56.30
L12	N89°17'36"W	142.00
L13	SO°42'24"W	20.00
L14	S89°17'36"E	142.00
L15	S67°18'37"W	61.02
L16	S74°51'53"W	51.67
L17	SO°42'24"W	111.66
L18	NO°42'24"E	20.00
L19	N89°17'35"W	94.00
L20	N89°17'36"W	20.00
L21	NO°42'25"E	20.00
L22	N6°53'42"E	79.74

**EXHIBIT B - Meridian Sewer and Water Easement
Bainbridge Subdivision No. 11**

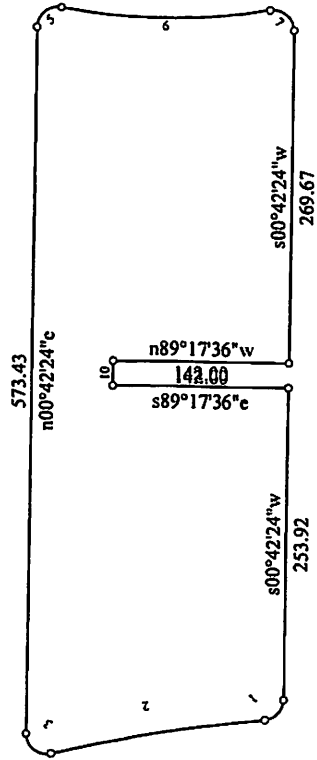
Portion of N 1/2 of NE 1/4 and the E 1/2 of NE 1/4 of NW 1/4 of
Section 27, T4N., R1W., B.M., City of Meridian, Ada County, ID

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SHEET: 2 OF 2

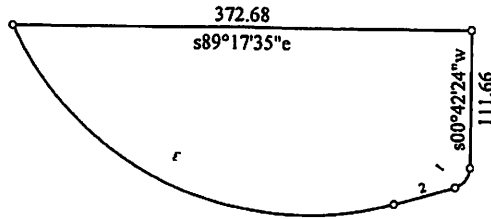
km
ENGINEERING
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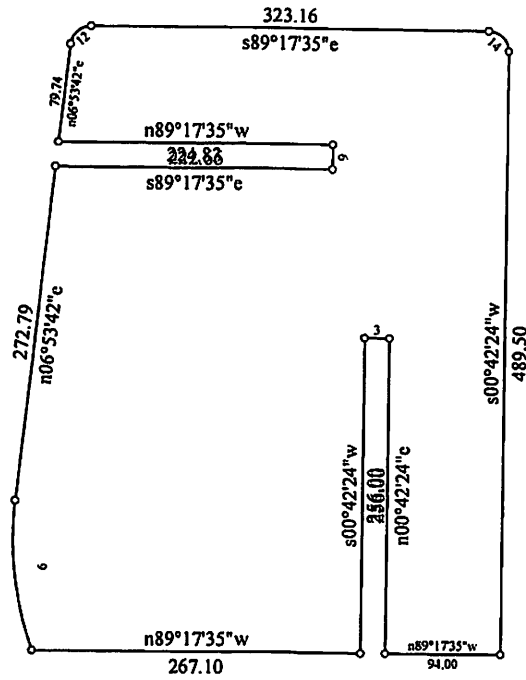
Title:		Date: 07-24-2020
Scale: 1 inch = 150 feet	File:	
Tract 1: 13.299 Acres: 579301 Sq Feet: Closure = n73.1704w 0.01 Feet: Precision = 1/282849: Perimeter = 3594 Feet		
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Title:		Date: 07-24-2020
Scale: 1 inch = 150 feet	File:	
Tract 1: 2.725 Acres: 118706 Sq Feet: Closure = s08.0145e 0.01 Feet: Precision =1/170122: Perimeter = 1858 Feet		
001: Rt, R=16.50, Delta=84.1531 Bng=s42.5016w, Chd=22.14 002: Lt, R=1278.00, Deln=07.5149 Bng=s81.0201w, Chd=175.26 003: Rt, R=16.50, Deln=103.3617 Bng=s31.0544w, Chd=25.93 004=n00.4224e 573.43 005: Rt, R=16.50, Delta=100.4019 Bng=s31.0234e, Chd=25.40	006: Lt, R=456.00, Delta=21.2038 Bng=s89.1736e, Chd=168.89 007: Rt, R=16.50, Delta=100.4018 Bng=s49.3745e, Chd=25.40 008=s00.4224w 269.67 009=n89.1736w 142.00 010=s00.4224w 20.00	011=s89.1736e 142.00 012=s00.4224w 253.92



Title:		Date: 07-24-2020
Scale: 1 inch = 150 feet	File:	
Tract 1: 1.030 Acres: 44864 Sq Feet: Closure = n35.5548w 0.00 Feet: Precision = 1/263990: Perimeter = 929 Feet		
001: Rt, R=16.50, Delta=74.0929 Bng=s37.4709w, Chd=19.90 002=s74.5153w 51.67	003: Rt, R=264.00, Delta=80.3931 Bng=n64.4821w, Chd=341.71 004=s89.1735e 372.68	005=s00.4224w 111.66



Title:		Date: 07-24-2020
Scale: 1 inch = 150 feet	File:	
Tract 1: 4.188 Acres: 182415 Sq Feet: Closure = n04.5840e 0.01 Feet: Precision =1/324664: Perimeter = 2699 Feet		
001=n89.1735w 94.00	007=n06.5342e 272.79	013=s89.1735e 323.16
002=n00.4224e 256.00	008=s89.1735e 224.83	014: Rt, R=16.50, Delta=89.5959 Bng=44.1735e, Chd=23.33
003=n89.1736w 20.00	009=n00.4225e 20.00	015=s00.4224w 489.50
004=s00.4224w 256.00	010=n89.1735w 222.66	
005=n89.1735w 267.10	011=n06.5342e 79.74	
006: Rt, R=264.00, Delta=26.3939 Bng=n06.2608w, Chd=121.74	012: Rt, R=16.50, Delta=83.4843 Bng=n48.4803e, Chd=22.04	