

Rustler Subdivision:

ESMT-2023-0154

TEMPORARY CONSTRUCTION EASEMENT

THIS Agreement, made this 12th day of Dec., 2023 between Taylor Schmidt and Bailey Schmidt ("Grantor") and the City of Meridian, an Idaho Municipal Corporation ("Grantee");

WHEREAS, Grantor has provided a water main and/or sanitary sewer pipeline right-of-way easement across the premises and property adjacent to the Temporary Construction Easement hereinafter described; and

WHEREAS, the utility infrastructure is to be provided for through an underground pipeline to be constructed by others; and

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 a temporary easement right-of-way over and across the following described property:

(SEE ATTACHED EXHIBIT A and B)

This Temporary Construction Easement is for the purpose of construction of a water main and/or sanitary sewer line and related incidental work and storage of materials related to the construction process.

TO HAVE AND TO HOLD, the said easement and right-of-way unto the said Grantee, its contractors, agents, successors and assigns. This easement shall terminate and expire 30 days after the installation and acceptance of said underground utility infrastructure by the Grantee.

IT IS EXPRESSLY UNDERSTOOD AND AGREED, by and between the parties hereto, that after installing and accepting said sanitary sewer and/or water main infrastructure, 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 hereby covenants and agrees that they will not place or allow to be placed any permanent structures, trees, brush, or perennial shrubs or flowers within the area

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor **12-12-2023**

Attest by Chris Johnson, City Clerk **12-12-2023**

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

DESCRIPTION FOR THE CITY OF MERIDIAN
TEMPORARY SANITARY SEWER

AN AREA OF LAND BEING THE NORTHERLY 25 FEET OF THE SOUTHERLY 50 FEET OF LOT 7, BLOCK 1, STETSON ESTATES NO. 2 SUBDIVISION, AS FILED IN RECORDS OF ADA COUNTY IN BOOK 8 OF PLATS AT PAGES 8563, 8564, 8565 AND 8566, IN THE WEST 1/2 OF SECTION 26, TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, BOISE CITY, ADA COUNTY, IDAHO, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A BRASS CAP MARKING THE NORTH 1/4 QUARTER CORNER OF SAID SECTION 26 BEING S89°34'06"E 2655.19 EAST OF A BRASS CAP MARKING THE NORTHWEST CORNER OF SAID SECTION 26; THENCE N 89°34'06" W 1327.33 FEET ALONG THE NORTHERLY BOUNDARY OF THE NORTHWEST 1/4 OF SAID SECTION TO A 5/8-INCH REBAR MARKING THE WEST 1/16TH CORNER OF SAID SECTION; THENCE S 0°03'25" W 1328.54 FEET ALONG THE WESTERLY BOUNDARY OF THE NE 1/4 NW 1/4 OF SAID SECTION TO A 5/8-INCH REBAR MARKING THE NORTHWEST 1/16TH CORNER OF SAID SECTION AND NORTHWEST CORNER OF SAID LOT 7; THENCE CONTINUING S 0°03'25" W 827.01 FEET ALONG SAID WESTERLY BOUNDARY TO A 5/8-INCH REBAR MARKING THE SOUTHWEST CORNER OF SAID LOT 7; THENCE N 0°03'25" E 25.60 FEET ALONG SAID WESTERLY BOUNDARY OF SAID LOT 7 TO A POINT., ALSO BEING THE **POINT OF BEGINNING**;

THENCE N 0°03'25" E 25.60 FEET ALONG SAID WESTERLY BOUNDARY OF SAID LOT 7 TO A POINT.

THENCE N 77°34'48" E 531.40 FEET ALONG A LINE 50 FEET NORTH OF AND PARALLEL TO THE SOUTHERLY BOUNDARY OF SAID LOT 7 TO A POINT OF NONTANGENT CURVE ON THE WESTERLY BOUNDARY OF SAID LOT 7;

THENCE ALONG A NONTANGENT CURVE [CE5] TO THE LEFT ALONG THE SAID WESTERLY BOUNDARY 25.60 FEET WITH A RADIUS OF 350.00 FEET THROUGH A CENTRAL ANGLE OF 4°11'24" WITH A CHORD BEARING S 0°05'46" E 25.59 FEET TO A POINT;

THENCE S 77°34'48" W 531.41 FEET TO THE **POINT OF BEGINNING**.

BEARINGS HEREIN USED ARE BASED ON THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 26 BEARING S 89°34'06" E

Exhibit B

