

**Project Name (Subdivision):**

Apex Northwest Subdivision No. 1

**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 Smith Brighton 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.



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, 2022  
Project No.: 21-210  
Apex Northwest Subdivision No. 1  
City of Meridian Sewer and Water Easement  
Legal Description

**Exhibit A**

Parcels of land for a City of Meridian sewer and water easement being a portion of Lots 2, 3, 4, 6, 8, 9, & 10, Block 1 of Apex Northwest Subdivision No. 1 and further situated in the Southeast 1/4 of the Southeast 1/4 of Section 31, Township 3 North, Range 1 East, B.M., City of Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at an aluminum cap marking the Southeast corner of said Section 31, which bears S00°32'22"E a distance of 2,700.07 feet from a aluminum cap marking the East 1/4 corner of said Section 31, thence following the easterly line of the Southeast 1/4 of said Section 31, N00°32'22"W a distance of 181.98 feet;  
Thence leaving said easterly line, N89°43'32"W a distance of 212.31 feet to the southerly line of an existing City of Meridian sewer and water easement per Instrument No. 2022-033763, Records of Ada County, Idaho;  
Thence following said southerly line, N89°43'32"W a distance of 59.08 feet to **POINT OF BEGINNING 1.**

Thence leaving said southerly line, S00°13'58"W a distance of 5.95 feet;  
Thence N89°43'32"W a distance of 10.00 feet;  
Thence N00°13'58"E a distance of 5.95 feet to a point hereinafter referred to as Point "A" on said southerly line;  
Thence following said southerly line, S89°43'32"E a distance of 10.00 feet to **POINT OF BEGINNING 1.**

Said parcel contains 59 square feet, more or less.

**TOGETHER WITH:**

Commencing at a point previously referred to as Point "A", thence following the southerly line of said City of Meridian sewer and water easement, N89°43'32"W a distance of 211.52 feet to **POINT OF BEGINNING 2.**

Thence leaving said southerly line, S00°16'28"W a distance of 6.14 feet;  
Thence N89°43'32"W a distance of 10.00 feet;  
Thence N00°16'28"E a distance of 6.14 feet to a point hereinafter referred to as Point "B" on said southerly line;  
Thence following said southerly line, S89°43'32"E a distance of 10.00 feet **POINT OF BEGINNING 2.**

Said parcel contains 61 square feet, more or less.

**TOGETHER WITH:**

Commencing at a point previously referred to as Point "B", thence N28°37'24"W a distance of 36.55 feet to the northerly line of said City of Meridian sewer and water easement and being **POINT OF BEGINNING 3**.

Thence leaving said northerly line, N00°16'28"E a distance of 8.79 feet;  
Thence S89°43'32"E a distance of 10.00 feet;  
Thence S00°16'28"W a distance of 8.79 feet to a point hereinafter referred to as Point "C" on said northerly line;  
Thence following said northerly line, N89°43'32"W a distance of 10.00 feet to **POINT OF BEGINNING 3**.

Said parcel contains 88 square feet, more or less.

**TOGETHER WITH:**

Commencing at a point previously referred to as Point "C", thence following the northerly line of said City of Meridian sewer and water easement, S89°43'32"E a distance of 134.35 feet to **POINT OF BEGINNING 4**.

Thence leaving said northerly line, N00°16'28"E a distance of 6.15 feet;  
Thence S89°43'32"E a distance of 13.00 feet to a point hereinafter referred to as Point "D";  
Thence S00°16'28"W a distance of 6.15 feet to said northerly line;  
Thence following said northerly line, N89°43'32"W a distance of 13.00 feet to **POINT OF BEGINNING 4**.

Said parcel contains 80 square feet, more or less.

**TOGETHER WITH:**

Commencing at a point previously referred to as Point "D", thence N29°07'48"E a distance of 278.06 feet to **POINT OF BEGINNING 5**.

Thence N00°16'52"E a distance of 12.88 feet;  
Thence S89°43'08"E a distance of 9.28 feet to a point hereinafter referred to as Point "E" on the westerly line of said City of Meridian sewer and water easement;  
Thence following said westerly line, S00°16'52"W a distance of 12.88 feet;  
Thence leaving said westerly line, N89°43'08"W a distance of 9.28 feet to **POINT OF BEGINNING 5**.

Said parcel contains 120 square feet, more or less.

**TOGETHER WITH:**

Commencing at a point previously referred to as Point "E", thence following the westerly line of said City of Meridian sewer and water easement, N00°16'52"E a distance of 24.31 feet to **POINT OF BEGINNING 6**.

Thence leaving said westerly, N89°43'08"W a distance of 7.97 feet;  
Thence N00°16'52"E a distance of 10.00 feet;  
Thence S89°43'08"E a distance of 7.97 feet to said westerly line;

Thence following said westerly line, S00°16'52"W a distance of 10.00 feet to **POINT OF BEGINNING 6.**

Said parcel contains 80 square feet, more or less.

**TOGETHER WITH:**

Commencing at a point previously referred to as POINT OF BEGINNING 6, thence S77°24'57"E a distance of 34.80 feet to the easterly line of said City of Meridian sewer and water easement and being **POINT OF BEGINNING 7.**

Thence leaving said easterly line, S89°43'08"E a distance of 6.97 feet;

Thence S00°16'52"W a distance of 10.00 feet;

Thence N89°43'08"W a distance of 6.97 feet to a point hereinafter referred to as Point "F" on said easterly line;

Thence following said easterly line, N00°16'52"E a distance of 10.00 feet to **POINT OF BEGINNING 7.**

Said parcel contains 70 square feet, more or less.

**TOGETHER WITH:**

Commencing at a point previously referred to as Point "F", thence following the easterly line of said City of Meridian sewer and water easement, S00°16'52"W a distance of 52.43 feet to **POINT OF BEGINNING 8.**

Thence leaving said easterly line, S89°22'03"E a distance of 5.57 feet;

Thence S00°16'52"W a distance of 10.00 feet;

Thence N89°22'03"W a distance of 5.57 feet to said easterly line;

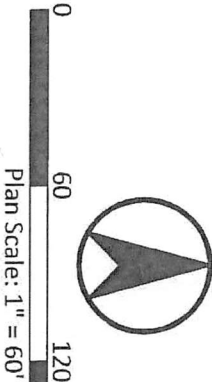
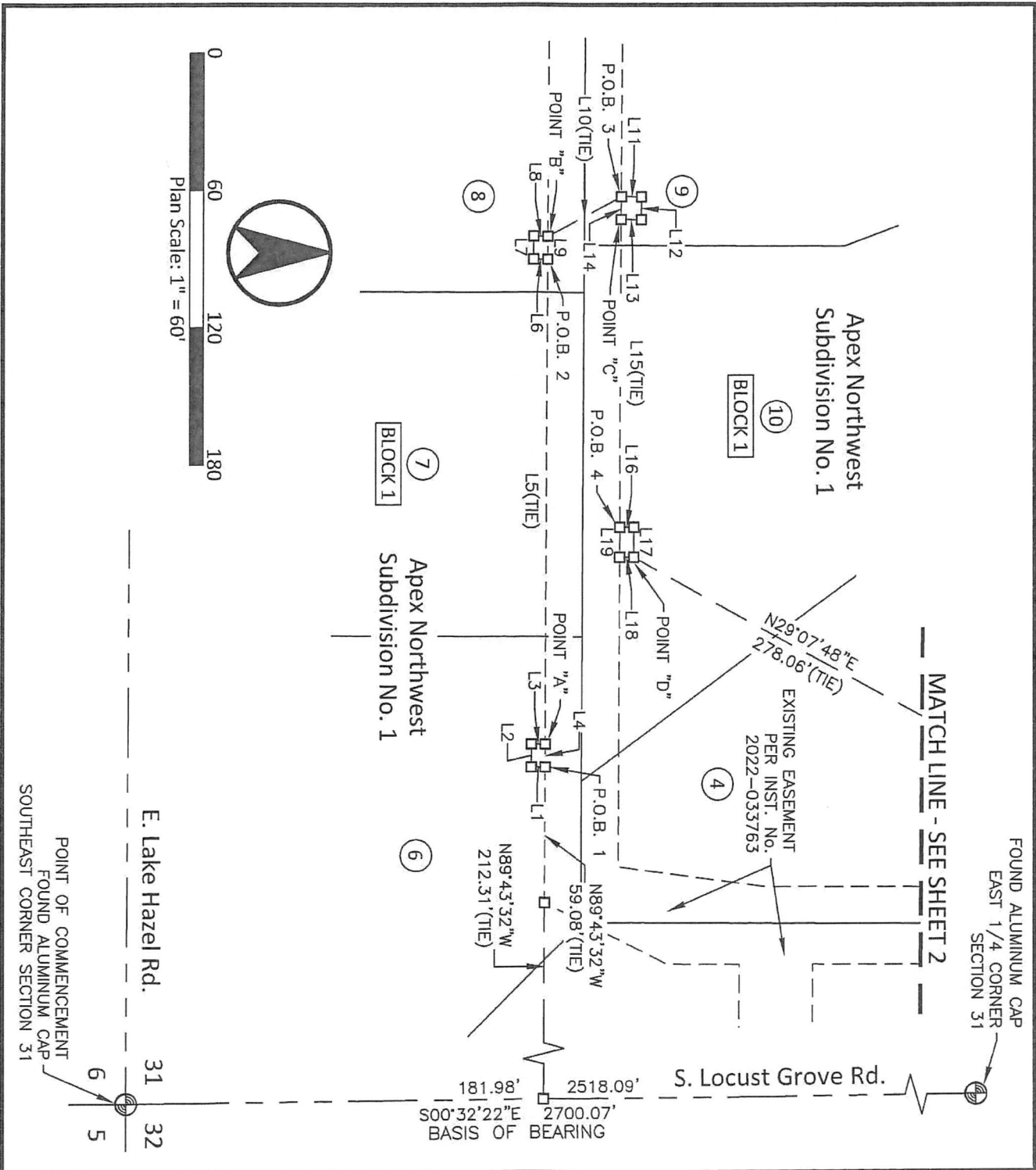
Thence following said easterly line, N00°16'52"E a distance of 10.00 feet to **POINT OF BEGINNING 8.**

Said parcel contains 56 square feet, more or less.

Said description contains a total of 614 square feet, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

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





**Exhibit B**  
**City of Meridian Sewer and Water Easement**

**Apex Northwest Subdivision No. 1**  
 SE1/4 SE1/4 Sec. 31, T3N., R1E., BM., City of Meridian, Ada County, Idaho

DATE: August 2022  
 PROJECT: 21-210  
 SHEET: 1 OF 2

**km**  
 ENGINEERING  
 5725 NORTH DISCOVERY WAY  
 BOISE, IDAHO 83713  
 PHONE (208) 639-6939  
 kmeng@kmp.com

E. Lake Hazel Rd.  
 POINT OF COMMENCEMENT  
 FOUND ALUMINUM CAP  
 SOUTHEAST CORNER SECTION 31

FOUND ALUMINUM CAP  
 EAST 1/4 CORNER  
 SECTION 31

EXISTING EASEMENT  
 PER INST. No.  
 2022-033763

MATCH LINE - SEE SHEET 2

181.98'  
 2518.09'  
 2700.07'  
 S00°32'22"E  
 BASIS OF BEARING

31 32  
 6 5

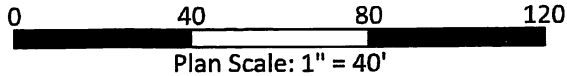
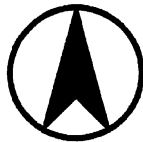
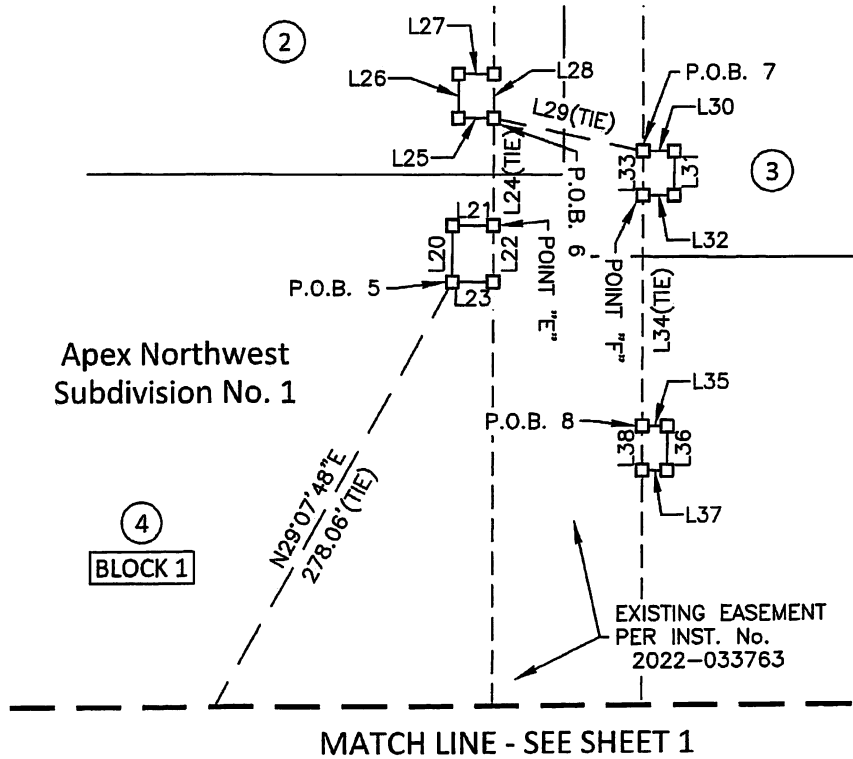
P:\21-210\CAD\SURVEY\EXHIBITS\220824 SEWER AND WATER EASEMENT APEX COMMERCIAL 21-210.DWG, TREY ZIMMERMAN, 8/24/2022, DWG TO PDF.PC3, 08.5X11 P [PDF]

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S0°13'58"W	5.95
L2	N89°43'32"W	10.00
L3	N0°13'58"E	5.95
L4	S89°43'32"E	10.00
L5	N89°43'32"W	211.52
L6	S0°16'28"W	6.14
L7	N89°43'32"W	10.00
L8	N0°16'28"E	6.14
L9	S89°43'32"E	10.00
L10	N28°37'24"W	36.55

LINE TABLE		
LINE	BEARING	DISTANCE
L11	N0°16'28"E	8.79
L12	S89°43'32"E	10.00
L13	S0°16'28"W	8.79
L14	N89°43'32"W	10.00
L15	S89°43'32"E	134.35
L16	N0°16'28"E	6.15
L17	S89°43'32"E	13.00
L18	S0°16'28"W	6.15
L19	N89°43'32"W	13.00
L20	N0°16'52"E	12.88

LINE TABLE		
LINE	BEARING	DISTANCE
L21	S89°43'08"E	9.28
L22	S0°16'52"W	12.88
L23	N89°43'08"W	9.28
L24	N0°16'52"E	24.31
L25	N89°43'08"W	7.97
L26	N0°16'52"E	10.00
L27	S89°43'08"E	7.97
L28	S0°16'52"W	10.00
L29	S77°24'57"E	34.80
L30	S89°43'08"E	6.97

LINE TABLE		
LINE	BEARING	DISTANCE
L31	S0°16'52"W	10.00
L32	N89°43'08"W	6.97
L33	N0°16'52"E	10.00
L34	S0°16'52"W	52.43
L35	S89°22'03"E	5.57
L36	S0°16'52"W	10.00
L37	N89°22'03"W	5.57
L38	N0°16'52"E	10.00



**km**  
ENGINEERING  
5725 NORTH DISCOVERY WAY  
BOISE, IDAHO 83713  
PHONE (208) 639-6939  
kmengllp.com

DATE: August 2022  
PROJECT: 21-210

SHEET:  
2 OF 2

Exhibit B  
City of Meridian Sewer and Water Easement

Apex Northwest Subdivision No. 1  
SE1/4 SE1/4 Sec. 31, T3N., R1E., BM., City of Meridian, Ada County, Idaho