

Project Name (Subdivision):

Eagle View Landing Apartments

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 BVA Rolling Hills No. 1, LLC , BVABC Eagle View, LLC and 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 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.

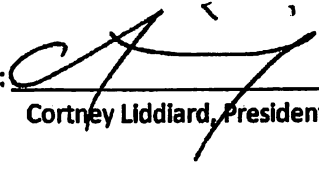
IN WITNESS WHEREOF, the said parties of the first part have hereunto subscribed their signatures the day and year first herein above written.

[END OF TEXT; SIGNATURES TO FOLLOW]

GRANTORS:

BVA ROLLING HILLS NO. 1, LLC
an Idaho limited liability company

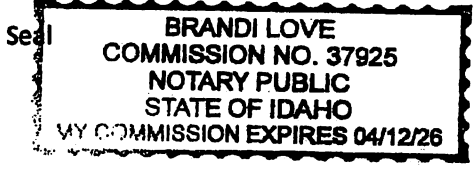
By: BV Management Services, Inc.,
Executive Manager

By: 
Cortney Liddiard, President

STATE OF IDAHO)
 :ss.
County of Bonneville)

On this the ^{25th} day of August, in the year 2022, before me a Notary Public of said State, personally appeared Cortney Liddiard, known or identified to me to be the President of BV Management Services, Inc., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written above.



Brandi Love
Notary Public for Idaho
My Commission Expires: 4-12-2026

By: Brighton Corporation, Executive Manager

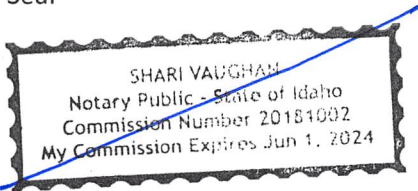
By: 
Robert L. Phillips, President


STATE OF IDAHO)
 :SS.
County of Ada)

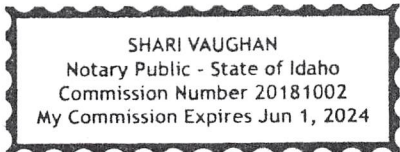
On this the 26 day of August, in the year 2022, before me a Notary Public of said State, personally appeared Robert L. Phillips, known or identified to me to be the President of Brighton Corporation, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written above.

Seal

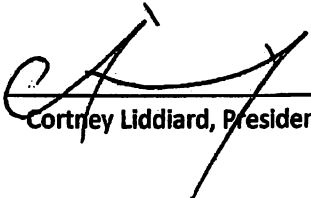



Notary Public for Idaho
My Commission Expires: 6-1-2024



BVABC EAGLE VIEW, LLC
an Idaho limited liability company

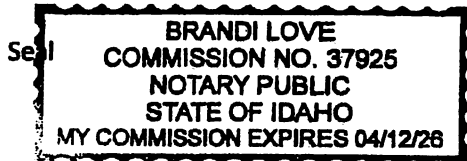
By: BV Management Services, Inc., an Idaho
corporation, the Executive Manager

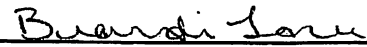
By: 
Cortney Liddiard, President

STATE OF IDAHO)
 :SS.
County of Bonneville)

On this the 25th day of August, in the year 2022, before me a Notary Public of said State, personally appeared Cortney Liddiard, known or identified to me to be the President of BV Management Services, Inc., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such company executed the same.

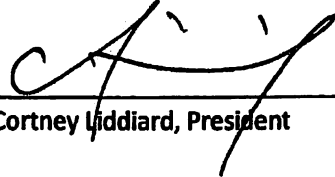
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written above.




Notary Public for Idaho
My Commission Expires: 4-12-2026

BVABC EAGLE VIEW ENTERTAINMENT NO. 1, LLC

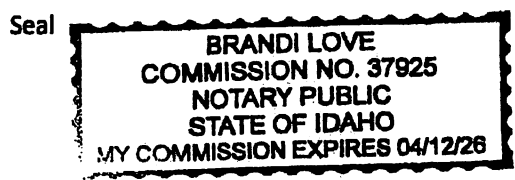
By: BV Management Services, Inc., an Idaho corporation, the Executive Manager

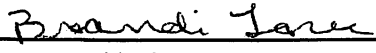
By: 
Cortney Liddiard, President

STATE OF IDAHO)
 :SS.
County of Bonneville)

On this the ~~25~~ day of August, in the year 2022, before me a Notary Public of said State, personally appeared Cortney Liddiard, known or identified to me to be the President of BV Management Services, Inc., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first written above.




Notary Public for Idaho
My Commission Expires: 4-12-2026

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 8, 2022
Project No. 20-219A
Eagle View Landing Apartments
City of Meridian Sewer and Water Easement
Legal Description

Exhibit A

A parcel of land being portions of Lots 13 through 15, Block 1 and Lots 8 through 10, Block 2 of Rolling Hill Subdivision (Book 18 of Plats, Pages 1202-1203), and portions of Lots 17 through 20, Block 1 of Rackham Subdivision (Book 120 of Plats, Pages 18582-18588) and a portion of Unplatted Lands, situated in a portion of the Northwest 1/4 of the Southeast 1/4 and a portion of the Northeast 1/4 of the Southwest 1/4 of Section 16, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at a found aluminum cap marking the Center 1/4 corner of said Section 16, which bears N00°05'15"W a distance of 2,653.59 feet from a found brass cap marking the South 1/4 corner of said Section 16, thence following the westerly line of said Northwest 1/4 of the Southeast 1/4, S00°05'15"E a distance of 710.50 feet;

Thence leaving said westerly line, S89°54'45"W a distance of 38.17 feet to **POINT OF BEGINNING 1.**

Thence S67°58'49"E a distance of 161.97 feet;
Thence N90°00'00"E a distance of 361.71 feet;
Thence N00°00'00"W a distance of 28.00 feet;
Thence N90°00'00"E a distance of 30.00 feet;
Thence S00°00'00"E a distance of 28.00 feet;
Thence N90°00'00"E a distance of 286.01 feet;
Thence N00°00'00"E a distance of 28.00 feet;
Thence S90°00'00"E a distance of 20.00 feet;
Thence S00°00'00"E a distance of 48.00 feet;
Thence N90°00'00"W a distance of 29.30 feet;
Thence S00°00'00"E a distance of 47.72 feet;
Thence N90°00'00"E a distance of 28.27 feet;
Thence S45°00'00"E a distance of 21.69 feet;
Thence S14°00'00"W a distance of 386.34 feet;
Thence N90°00'00"W a distance of 134.20 feet;
Thence S00°00'00"E a distance of 97.76 feet;
Thence N89°13'45"W a distance of 803.68 feet;
Thence N55°28'42"W a distance of 50.25 feet;
Thence N00°00'00"W a distance of 542.26 feet;
Thence S68°04'33"W a distance of 51.77 feet;
Thence N21°55'27"W a distance of 20.00 feet;
Thence N68°04'33"E a distance of 116.40 feet;
Thence N90°00'00"E a distance of 116.83 feet;
Thence S79°13'49"E a distance of 41.90 feet to **POINT OF BEGINNING 1.**

Said parcel contains 13.067 acres, more or less.

LESS AND EXCEPTING THEREFROM:

Commencing at a point previously referred to as **POINT OF BEGINNING 1**, thence S16°23'41"W a distance of 20.10 feet to **POINT OF BEGINNING 2**.

Thence S67°58'49"E a distance of 141.44 feet;
Thence S22°01'17"W a distance of 24.48 feet;
Thence S67°58'43"E a distance of 15.00 feet;
Thence N22°01'17"E a distance of 24.48 feet;
Thence S67°58'49"E a distance of 23.88 feet;
Thence S00°00'00"E a distance of 20.33 feet;
Thence N90°00'00"W a distance of 8.00 feet;
Thence S00°00'00"E a distance of 20.00 feet;
Thence N90°00'00"E a distance of 28.00 feet;
Thence N00°00'00"E a distance of 36.49 feet;
Thence N90°00'00"E a distance of 130.75 feet to a point hereinafter referred to as "POINT A";
Thence S00°00'00"E a distance of 443.72 feet;
Thence N90°00'00"E a distance of 63.07 feet;
Thence S00°00'00"E a distance of 48.47 feet;
Thence N89°13'45"W a distance of 226.67 feet;
Thence N00°00'00"E a distance of 38.59 feet;
Thence N90°00'00"E a distance of 20.00 feet;
Thence N00°00'00"E a distance of 20.00 feet;
Thence N90°00'00"W a distance of 45.00 feet;
Thence S00°00'00"E a distance of 58.26 feet;
Thence N89°13'45"W a distance of 301.28 feet;
Thence N55°28'42"W a distance of 15.67 feet;
Thence N00°00'00"E a distance of 228.93 feet;
Thence N90°00'00"E a distance of 109.96 feet;
Thence N00°00'00"E a distance of 38.89 feet;
Thence N90°00'00"W a distance of 20.00 feet;
Thence S00°00'00"E a distance of 18.89 feet;
Thence N90°00'00"W a distance of 89.96 feet;
Thence N00°00'00"E a distance of 290.87 feet;
Thence N68°04'33"E a distance of 39.21 feet;
Thence N90°00'00"E a distance of 111.07 feet;
Thence S79°13'49"E a distance of 38.05 feet to **POINT OF BEGINNING 2**.

Said parcel contains 6.038 acres, more or less.

ALSO LESS AND EXCEPTING THEREFROM:

Commencing at a point previously referred to as "POINT A", thence N90°00'00"E a distance of 20.00 feet to **POINT OF BEGINNING 3**.

Thence N90°00'00"E a distance of 105.96 feet to a point hereinafter referred to as "POINT B";
Thence S00°00'00"E a distance of 493.04 feet;

Thence N89°13'45"W a distance of 42.90 feet;
Thence N00°00'00"E a distance of 68.74 feet;
Thence N90°00'00"W a distance of 63.07 feet;
Thence N00°00'00"E a distance of 140.81 feet;
Thence N90°00'00"E a distance of 6.30 feet;
Thence N00°00'00"E a distance of 10.00 feet;
Thence N90°00'00"W a distance of 6.30 feet;
Thence N00°00'00"E a distance of 33.25 feet;
Thence N90°00'00"E a distance of 11.67 feet;
Thence N00°00'00"E a distance of 20.00 feet;
Thence N90°00'00"W a distance of 11.67 feet;
Thence N00°00'00"E a distance of 96.97 feet;
Thence N90°00'00"E a distance of 5.26 feet;
Thence N00°00'00"E a distance of 10.00 feet;
Thence N90°00'00"W a distance of 5.26 feet;
Thence N00°00'00"E a distance of 112.69 feet to **POINT OF BEGINNING 3.**

Said parcel contains 1.091 acres, more or less.

ALSO LESS AND EXCEPTING THEREFROM:

Commencing at a point previously referred to as "POINT B", thence N90°00'00"E a distance of 20.00 feet to **POINT OF BEGINNING 4.**

Thence N90°00'00"E a distance of 73.63 feet;
Thence N00°00'00"E a distance of 10.00 feet;
Thence N90°00'00"E a distance of 83.70 feet;
Thence S00°00'00"E a distance of 30.50 feet;
Thence N90°00'00"W a distance of 27.50 feet;
Thence S00°00'00"E a distance of 20.00 feet;
Thence N90°00'00"E a distance of 57.50 feet;
Thence N00°00'00"E a distance of 50.50 feet;
Thence N90°00'00"E a distance of 153.04 feet;
Thence S00°00'00"E a distance of 67.72 feet;
Thence N90°00'00"E a distance of 39.99 feet;
Thence S45°00'00"E a distance of 2.09 feet;
Thence S14°00'00"W a distance of 224.57 feet;
Thence N76°00'00"W a distance of 13.08 feet;
Thence S14°00'00"W a distance of 20.00 feet;
Thence S76°00'00"E a distance of 13.08 feet;
Thence S14°00'00"W a distance of 114.83 feet;
Thence N90°00'00"W a distance of 115.58 feet;
Thence N00°00'00"E a distance of 31.59 feet;
Thence N90°00'00"W a distance of 15.00 feet;
Thence S00°00'00"E a distance of 31.59 feet;
Thence N90°00'00"W a distance of 8.00 feet;
Thence S00°00'00"E a distance of 21.47 feet;

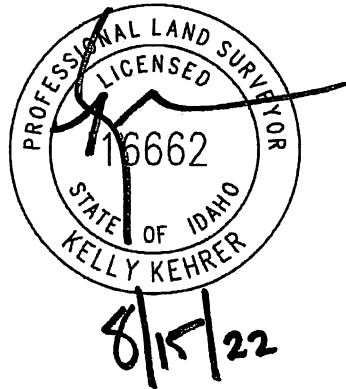
Thence N90°00'00"W a distance of 18.00 feet;
Thence S00°00'00"E a distance of 20.00 feet;
Thence N90°00'00"E a distance of 18.00 feet;
Thence S00°00'00"E a distance of 56.02 feet;
Thence N89°13'45"W a distance of 156.32 feet;
Thence N00°00'00"E a distance of 503.31 feet to **POINT OF BEGINNING 4.**

Said parcel contains 3.507 acres, more or less.

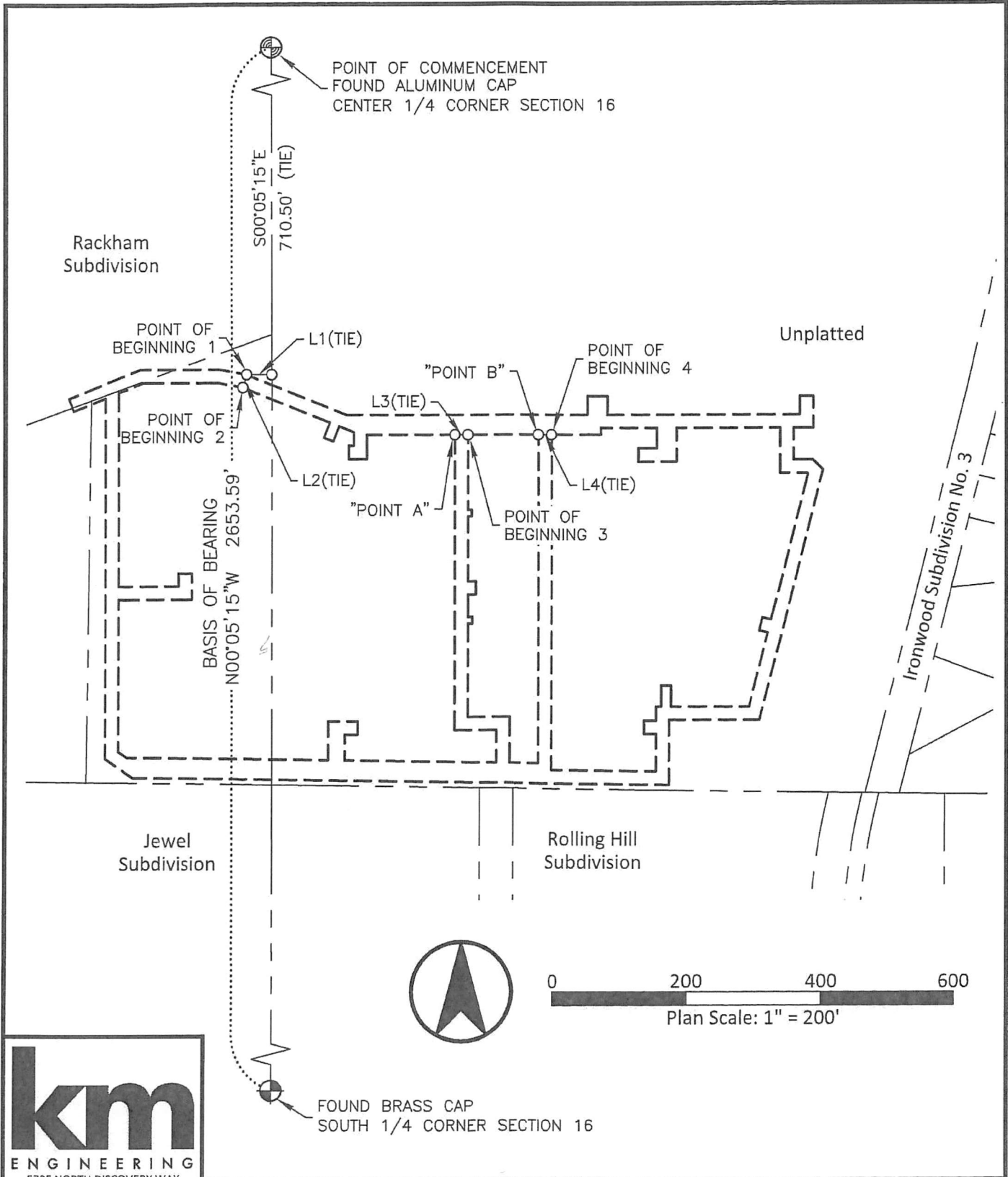
Said description contains a total of 2.431 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

All subdivisions, deeds, record of surveys, and other instruments of record referenced herein are recorded documents of the county in which these described lands are situated.

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



P:\20-219A\CAD\SURVEY\EXHIBITS\220801 WATER-SEWER EXHIBIT 20-219A.DWG, TREY ZIMMERMAN, 8/8/2022, DWG TO PDF.PC3, 08.5X11 P [PDF]

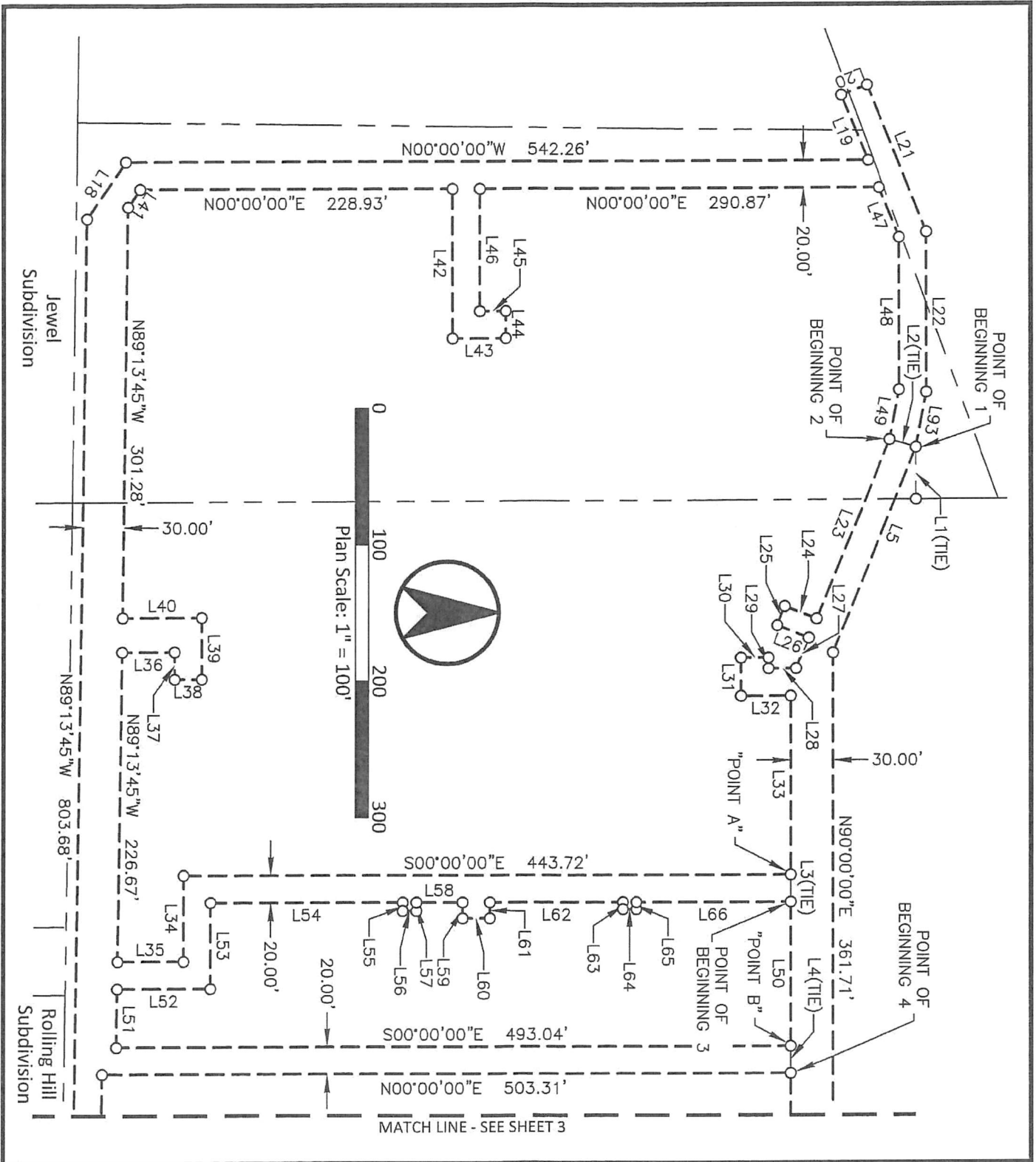


km
ENGINEERING
 5725 NORTH DISCOVERY WAY
 BOISE, IDAHO 83713
 PHONE (208) 639-6939
 kmengllp.com

**Exhibit B - City of Meridian Sewer and Water Easement
 Eagle View Landing**

DATE: August 2022
 PROJECT: 20-219A
 SHEET:
 1 OF 4

Lots 13-15, Block 1, Lots 8-10, Block 2 of Rolling Hill Subdivision, Lots 17-20, Block 1 of Rackham Subdivision, and unplatted land in the NW 1/4 of the SE 1/4 and NE 1/4 of the SW 1/4 of Sec. 16, T3N, R1E, B.M., Ada County, Idaho



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 5725 NORTH DISCOVERY WAY
 BOISE, IDAHO 83713
 PHONE (208) 639-6939
 kmeng@lp.com

DATE: August 2022
 PROJECT: 20-219A
 SHEET: 2 OF 4

Exhibit B - City of Meridian Sewer and Water Easement Eagle View Landing

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LINE TABLE		
LINE	BEARING	DISTANCE
L1	S89°54'45"W	38.17
L2	S16°23'41"W	20.10
L3	N90°00'00"E	20.00
L4	N90°00'00"E	20.00
L5	S67°58'49"E	161.97
L6	N00°00'00"W	28.00
L7	N90°00'00"E	30.00
L8	S00°00'00"E	28.00
L9	N00°00'00"E	28.00
L10	S90°00'00"E	20.00
L11	S00°00'00"E	48.00
L12	N90°00'00"W	29.30
L13	S00°00'00"E	47.72
L14	N90°00'00"E	28.27
L15	S45°00'00"E	21.69
L16	N90°00'00"W	134.20
L17	S00°00'00"E	97.76
L18	N55°28'42"W	50.25
L19	S68°04'33"W	51.77
L20	N21°55'27"W	20.00
L21	N68°04'33"E	116.40
L22	N90°00'00"E	116.83
L23	S67°58'49"E	141.44
L24	S22°01'17"W	24.48
L25	S67°58'43"E	15.00

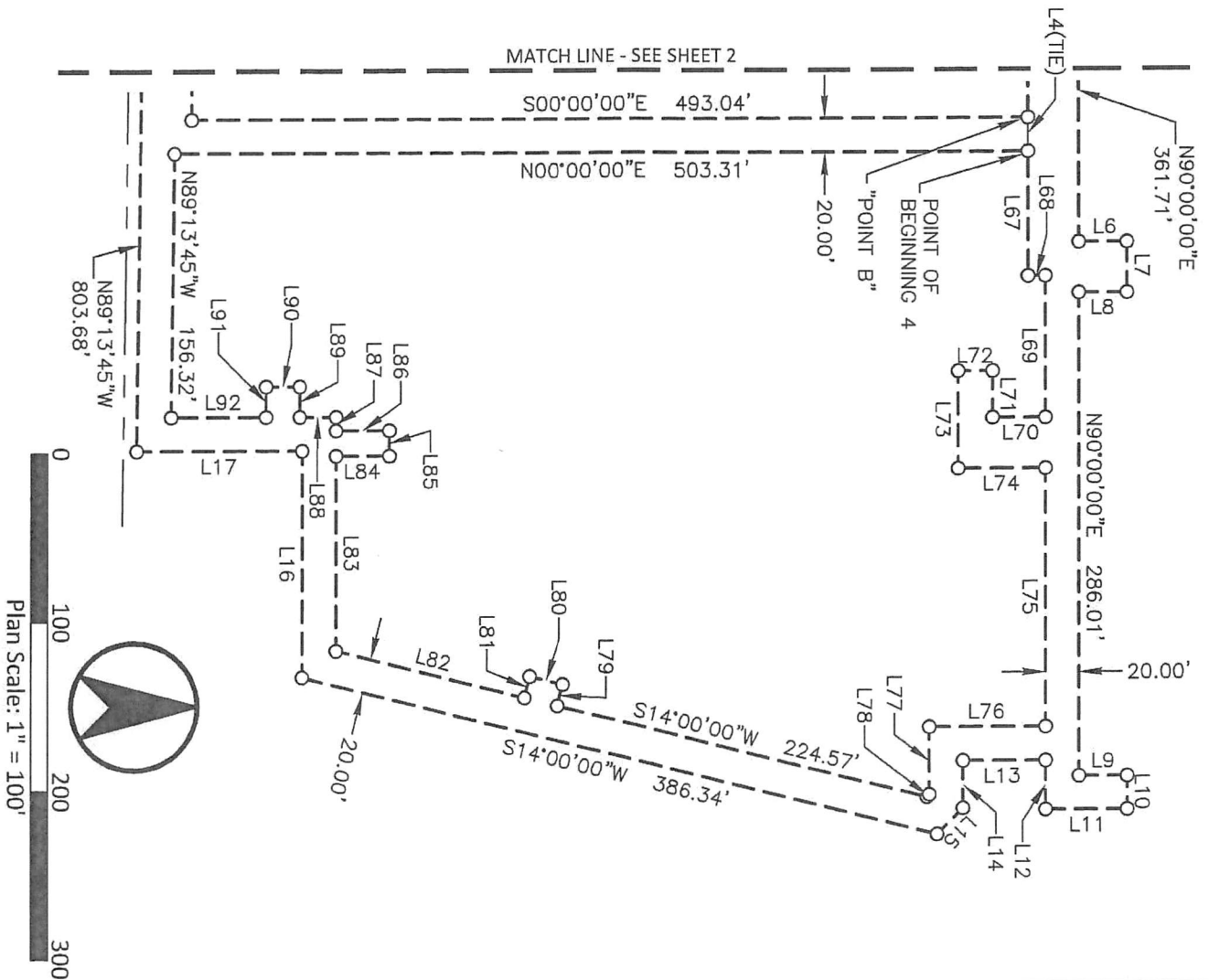


Exhibit B - City of Meridian Sewer and Water Easement Eagle View Landing

Lots 13-15, Block 1, Lots 8-10, Block 2 of Rolling Hill Subdivision, Lots 17-20, Block 1 of Rackham Subdivision, and unplatted land in the NW 1/4 of the SE 1/4 and NE 1/4 of the SW 1/4 of Sec. 16, T3N, R1E, B.M., Ada County, Idaho

DATE: August 2022
 PROJECT: 20-219A
 SHEET: 3 OF 4

K&M ENGINEERING
 5725 NORTH DISCOVERY WAY
 BOISE, IDAHO 83713
 PHONE (208) 639-6939
 krmengllp.com

LINE TABLE		
LINE	BEARING	DISTANCE
L26	N22°01'17"E	24.48
L27	S67°58'49"E	23.88
L28	S00°00'00"E	20.33
L29	N90°00'00"W	8.00
L30	S00°00'00"E	20.00
L31	N90°00'00"E	28.00
L32	N00°00'00"E	36.49
L33	N90°00'00"E	130.75
L34	N90°00'00"E	63.07
L35	S00°00'00"E	48.47
L36	N00°00'00"E	38.59
L37	N90°00'00"E	20.00
L38	N00°00'00"E	20.00
L39	N90°00'00"W	45.00
L40	S00°00'00"E	58.26
L41	N55°28'42"W	15.67
L42	N90°00'00"E	109.96
L43	N00°00'00"E	38.89
L44	N90°00'00"W	20.00
L45	S00°00'00"E	18.89
L46	N90°00'00"W	89.96
L47	N68°04'33"E	39.21
L48	N90°00'00"E	111.07
L49	S79°13'49"E	38.05
L50	N90°00'00"E	105.96

LINE TABLE		
LINE	BEARING	DISTANCE
L51	N89°13'45"W	42.90
L52	N00°00'00"E	68.74
L53	N90°00'00"W	63.07
L54	N00°00'00"E	140.81
L55	N90°00'00"E	6.30
L56	N00°00'00"E	10.00
L57	N90°00'00"W	6.30
L58	N00°00'00"E	33.25
L59	N90°00'00"E	11.67
L60	N00°00'00"E	20.00
L61	N90°00'00"W	11.67
L62	N00°00'00"E	96.97
L63	N90°00'00"E	5.26
L64	N00°00'00"E	10.00
L65	N90°00'00"W	5.26
L66	N00°00'00"E	112.69
L67	N90°00'00"E	73.63
L68	N00°00'00"E	10.00
L69	N90°00'00"E	83.70
L70	S00°00'00"E	30.50
L71	N90°00'00"W	27.50
L72	S00°00'00"E	20.00
L73	N90°00'00"E	57.50
L74	N00°00'00"E	50.50
L75	N90°00'00"E	153.04

LINE TABLE		
LINE	BEARING	DISTANCE
L76	S00°00'00"E	67.72
L77	N90°00'00"E	39.99
L78	S45°00'00"E	2.09
L79	N76°00'00"W	13.08
L80	S14°00'00"W	20.00
L81	S76°00'00"E	13.08
L82	S14°00'00"W	114.83
L83	N90°00'00"W	115.58
L84	N00°00'00"E	31.59
L85	N90°00'00"W	15.00
L86	S00°00'00"E	31.59
L87	N90°00'00"W	8.00
L88	S00°00'00"E	21.47
L89	N90°00'00"W	18.00
L90	S00°00'00"E	20.00
L91	N90°00'00"E	18.00
L92	S00°00'00"E	56.02
L93	S79°13'49"E	41.90



DATE: August 2022
PROJECT: 20-219A

SHEET:
4 OF 4

Exhibit B - City of Meridian Sewer and Water Easement Eagle View Landing

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