

**Project Name (Subdivision):**

2701 - Kum & Go Ten Mile Road

**Water Main Easement Number:** \_\_\_\_\_

Identify this Easement by sequential number if Project contains more than one Water Main easement.

( See Instructions for additional information).

ESMT-2023-0078

**WATER MAIN EASEMENT**

THIS Easement Agreement, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ between KG Store 2701, L.L.C. (“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: \_\_\_\_\_

## WATER EASEMENT

The Land referred to herein below is situated in the County of Ada, State of ID, and is described as follows:

A parcel of land being a portion of the West 1/2 of the Northwest 1/4 of Section 14, Township 3 North, Range 1 West, B.M., Ada County, Idaho, and being more particularly described as follows:

Commencing at a brass cap marking the Northwest corner of said Section 14, which bears N00°33'33"E a distance of 2,658.39 feet from an aluminum cap marking the West 1/4 corner of said section 14, thence following the westerly line of the Northwest 1/4 of said Section 14, S00°33'33"W a distance of 1,329.20 feet to a found aluminum cap marking the North 1/16 corner of Sections 14 and 15; Thence leaving said westerly line, S89°10'27"E a distance of 39.29 feet to the easterly right-of-way line of S. Ten Mile Rd.; Thence following said easterly right-of-way line N03°39'37"E a distance of 14.52 feet to the southerly boundary line of TM Creek Subdivision No. 1 (Book 110, Page 15663 of Plats, Records of Ada County, Idaho); Thence leaving said easterly right-of-way line and following the southerly boundary line of said TM Creek Subdivision No. 1 the following three (3) courses: 1. N66°50'14"E a distance of 186.29 feet; 2. 92.42 feet along the arc of a curve to the right, said curve having a radius of 199.99 feet, a delta angle of 26°28'40", a chord bearing of N80°05'03"E and a chord distance of 91.60 feet; 3. S86°40'15"E a distance of 73.07 feet; Thence leaving said southerly subdivision boundary line, S10°13'14"W a distance of 38.31 feet; Thence 50.59 feet along the arc of a curve to the left, said curve having a radius of 300.00 feet, a delta angle of 09°39'41", a chord bearing of S05°23'23"W and a chord distance of 50.53 feet; Thence S00°33'33"W a distance of 3.72 feet and being the POINT OF BEGINNING.

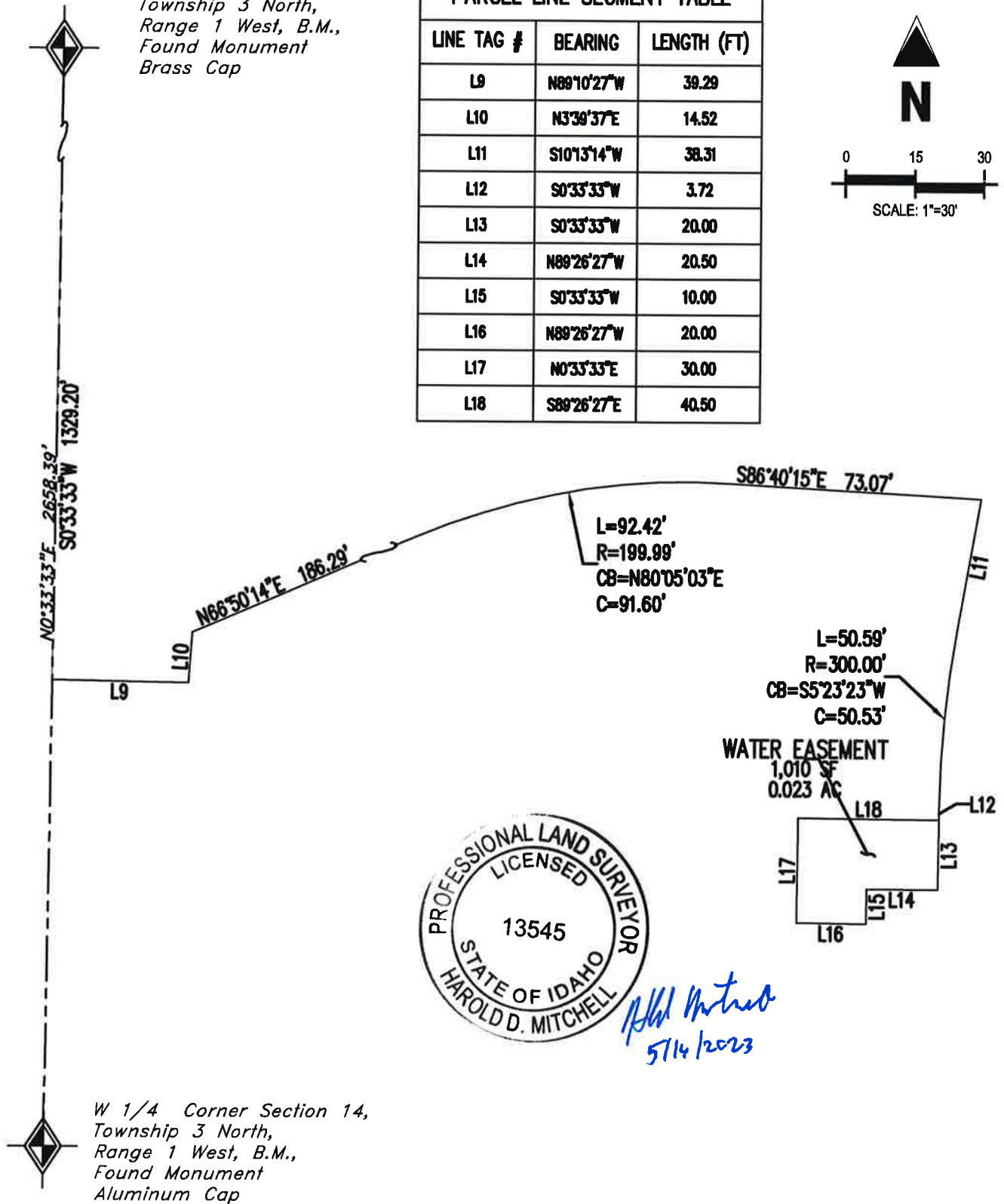
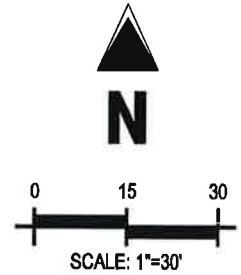
Thence South 0°33'33" West a distance of 20.00 feet; Thence North 89°26'27" West a distance of 20.50 feet; Thence South 0°33'33" West a distance of 10.00 feet; Thence North 89°26'27" West a distance of 20.00 feet; Thence North 0°33'33" East a distance of 30.00 feet; Thence South 89°26'27" East a distance of 40.50 feet to the POINT OF BEGINNING.

Containing 1,010 sq. ft., or 0.023 acres more or less



NW Corner Section 14,  
Township 3 North,  
Range 1 West, B.M.,  
Found Monument  
Brass Cap

| PARCEL LINE SEGMENT TABLE |             |             |
|---------------------------|-------------|-------------|
| LINE TAG #                | BEARING     | LENGTH (FT) |
| L9                        | N89°10'27"W | 39.29       |
| L10                       | N3°39'37"E  | 14.52       |
| L11                       | S10°13'14"W | 38.31       |
| L12                       | S0°33'33"W  | 3.72        |
| L13                       | S0°33'33"W  | 20.00       |
| L14                       | N89°26'27"W | 20.50       |
| L15                       | S0°33'33"W  | 10.00       |
| L16                       | N89°26'27"W | 20.00       |
| L17                       | N0°33'33"E  | 30.00       |
| L18                       | S89°26'27"E | 40.50       |



*Handwritten signature and date: Harold Mitchell 5/14/2023*

W 1/4 Corner Section 14,  
Township 3 North,  
Range 1 West, B.M.,  
Found Monument  
Aluminum Cap

PROJECT NAME  
KUM2701

WATER EASEMENT

Project No: KUM002701  
 Drawn By: GJS  
 Checked By: TWO  
 Date: 04/12/2023

**Galloway**  
 1155 Kelly Johnson Blvd., Suite 305  
 Colorado Springs, CO 80920  
 719.900.7220  
 GallowayUS.com