

Project Name or Subdivision Name:

Victory Commons Subdivision No. 2

Sanitary Sewer & Water Main Easement Number: 1

Identify this Easement by sequential number if the project contains more than one easement of this type. See instructions/checklist for additional information.

For Internal Use Only ESMT-2024-0089

Record Number: _____

SANITARY SEWER AND WATER MAIN EASEMENT

THIS Easement Agreement made this 9th day of July 20 24 between Kuna Victory, LLC, an Idaho limited liability company ("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, its 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 shall not place or allow to be placed any permanent structures or obstructions within the easement area that would interfere with Grantee's use of said easement, including, but not limited to, buildings, trash enclosures, carports, sheds, fences, trees, or deep-rooted shrubs.

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:

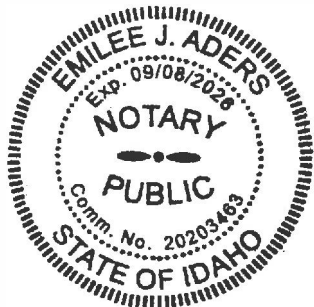
KUNA VICTORY, LLC,
an Idaho limited liability company


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

By: 
Tahri Molifua, Executive Vice President

STATE OF IDAHO)
) SS
County of Bonneville

This record was acknowledged before me on June 5, 2024 (date) by Tahri Molifua, Executive Vice President of BV Executive Management, Inc., the Idaho corporation that is the Manager of Kuna Victory, LLC.




Signature of Notary Public
My commission expires: 09/08/2026

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor 7-9-2024

Attest by Chris Johnson, City Clerk 7-9-2024

STATE OF IDAHO,)
 : ss.
County of Ada)

This record was acknowledged before me on 7-9-2024 (date) by Robert E. Simison and Chris Johnson on behalf of the City of Meridian, in their capacities as Mayor and City Clerk, respectively.

Notary Stamp Below

Notary Signature
My Commission Expires: 3-28-2028



Date: February 1, 2024
Project: ID-9129-24
Page: 1 of 3

EXHIBIT A
LOT 13 WATER AND SEWER EASEMENT

A parcel of land situated in Government Lot 4 of Section 19, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, also being a portion of Lot 13, block 1, of Victory Commons Subdivision No. 2, Book 124, Pages 19838 to 19843 records of Ada County, Idaho, more particularly described as follows:

COMMENCING at the southwest corner of said Government Lot 4, Thence N.89°42'17" E., 1130.45 feet, to the Southeast corner of said Government Lot 4 thence along the east boundary of said Government Lot 4, N.00°29'09" E., 48.00 feet to a point on the north right-of-way of east Victory Road, said point also being the southeast corner of Lot 11 of said Victory Commons Subdivision No. 2; thence along said north right-of-way, S.89°42'17" W., 410.73 feet to the southeast corner of said Lot 13, being **THE POINT OF BEGINNING**;

- 1) Thence S.89°42'17" W., along the said Northerly Right-of-Way of Victory Road, 5.94 feet, to a point,
- 2) Thence N.11°15'00" W., 128.65 feet, to a point;
- 3) Thence N.00°38'10" E., 18.31 feet, to a point;
- 4) Thence S.88°35'11" W., 15.10 feet, to a point;
- 5) Thence N. 01°24'49" W., 20.00 feet, to a point;
- 6) Thence N.88°35'11"E., 15.82 feet, to a point;
- 7) Thence N. 00°38'10" E., 41.74 feet, to a point;
- 8) Thence N.87°36'33"W, 17.46 feet, to a point;
- 9) Thence N.02°23'27"E, 20.00 feet, to a point;
- 10) Thence S.87°36'33"E, 16.85 feet, to a point;
- 11) Thence N.00°38'10"E., 22.28 feet, to a point on the north line of lot 13;

- 12) Thence N.89°42'17" E., along said northerly boundary line, 14.87 feet; to a 5/8 inch iron pin marking Northeast Corner of said Lot 13;
- 13) Thence S.00°29'09" W., along the East boundary line of said Lot 13, 80.48 feet, to a 5/8 inch iron pin marking an angle point in the boundary of said Lot 13;
- 14) Thence S.08°16'05" E., along the East boundary of said Lot 13, 31.78 feet, to a point;
- 15) Thence S.00°38'10"W., 8.64 feet, to a point;
- 16) Thence S.11°15'00"E., 25.71 feet, to a point on the East line of said Lot 13;
- 17) Thence S.08°16'05" E., 42.97 feet, to a 5/8 inch iron pin marking an angle point in the East boundary of said Lot 13;
- 18) Thence S.00°09'55"W., along the East line of said Lot 13, 60.27 feet to the **POINT OF BEGINNING.**

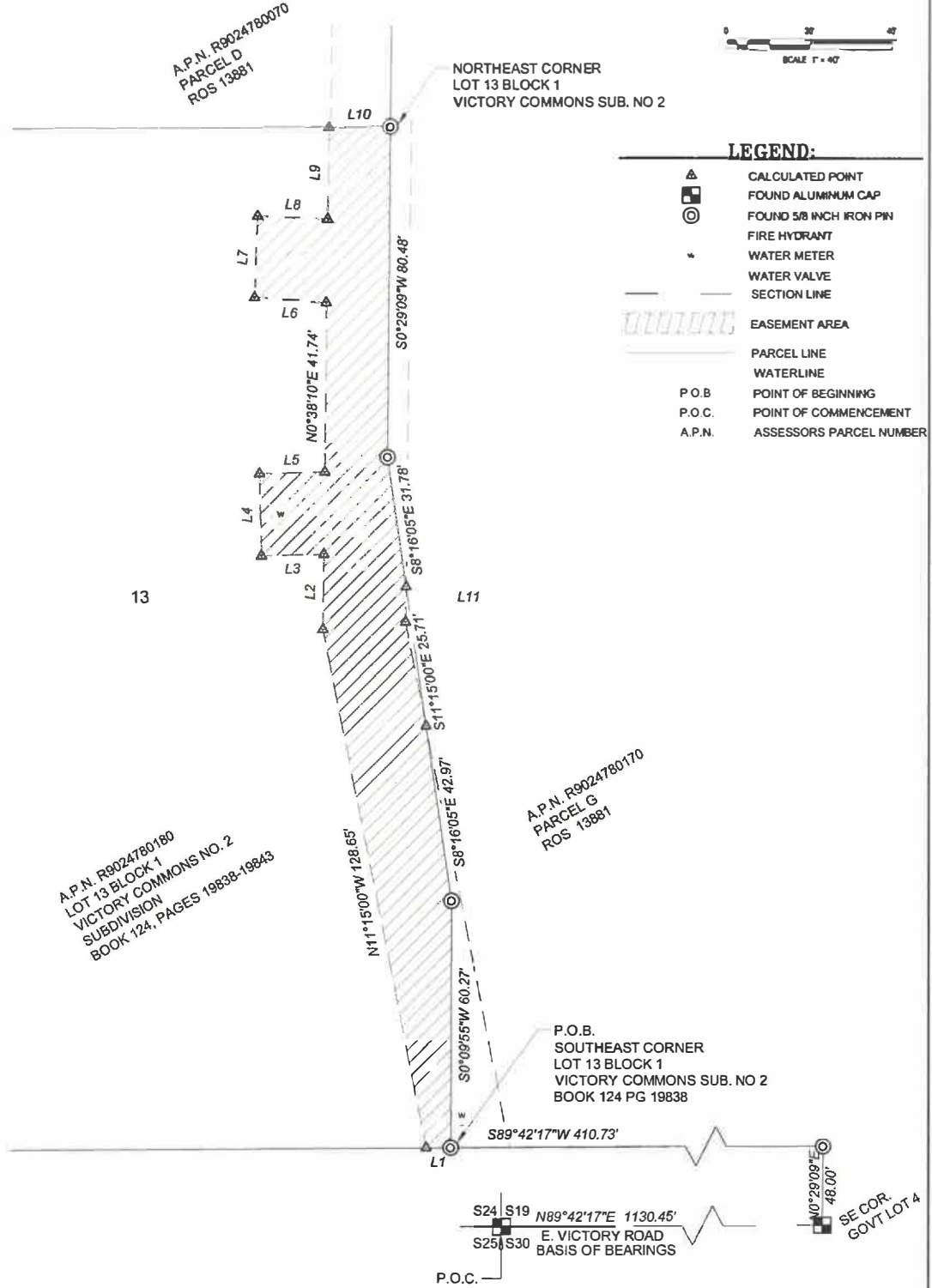


EXHIBIT A
UTILITY EASEMENT
FOR
VICTORY COMMONS #2 LOT 13 BLOCK 1
LOCATED IN GOVT. LOT 4, SECTION 19, TOWNSHIP 3 NORTH, RANGE 1
EAST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO
2024



LEGEND:

- CALCULATED POINT
- FOUND ALUMINUM CAP
- FOUND 5/8 INCH IRON PIN
- FIRE HYDRANT
- WATER METER
- WATER VALVE
- SECTION LINE
- EASEMENT AREA
- PARCEL LINE
- WATERLINE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- A.P.N. ASSESSORS PARCEL NUMBER



Line Table		
Line #	Length	Direction
L1	5.94'	S89°42'17"W
L2	18.31'	N0°38'10"E
L3	15.10'	S88°35'11"W
L4	20.00'	N1°24'49"W
L5	15.82'	N88°35'11"E
L6	17.46'	N87°36'33"W
L7	20.00'	N2°23'27"E
L8	16.85'	S87°36'33"E
L9	22.28'	N0°38'10"E
L10	14.87'	N89°42'17"E
L11	8.64'	S0°38'10"W

HORROCKS
ENGINEERS

2775 West Navigator Dr., Suite 210
 Meridian, ID 83642

(208) 895-2520
 www.horrocks.com

EXHIBIT B

UTILITY EASEMENT

DRAWING INFO	
DATE	06/14/24
SCALE	1"=40'
REV #	DATE
SEE SHEET 1 FOR DESCRIPTION	
PROJ. NO.	ID-9129-24

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