

Project Name or Subdivision Name:

Victory Commons Subdivision #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

Record Number: ESMT-2024-0090

### **SANITARY SEWER AND WATER MAIN EASEMENT**

THIS Easement Agreement made this 9th day of July 2024 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:

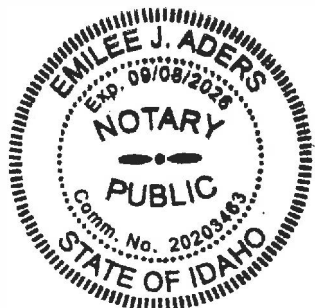
KUNA VICTORY, LLC,  
an Idaho limited liability company


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 6, 2024  
Project: ID-9129-24  
Page: 1 of 4

***EXHIBIT A  
PARCEL E WATER AND SEWER EASEMENTS***

This parcel is 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 Parcel E as shown on Record of Survey Number 13881, 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., along the southerly line of Government Lot 4, 1130.45 feet to the Southeast corner of Government Lot 4, thence N.00°29'09"E., along the east boundary of said Government Lot 4, 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, Thence S.89°42'17" W., along the North Right of Way of East Victory Road, 410.73 feet to the southwest corner of Parcel G as shown on said Record of Survey Number 13881, Thence N.01°58'46" W., leaving said north right-of-way, 393.36 feet to the most northwesterly corner of said Parcel G, said point also being **THE POINT OF BEGINNING**.

- 1) Thence N.00°29'09" E., on the westerly line of Parcel G, 46.26 feet to a point on the southerly line of Parcel E;
- 2) Thence N.50°45'38" W., along the southerly boundary of said Parcel E, 103.73 feet to the most southwesterly corner of Parcel E;
- 3) Thence N.39°14'22" E., on the westerly boundary line of said parcel E, 3.68 feet to a point;
- 4) Thence S.51°05'56" E., departing said westerly boundary line, 12.37 feet to a point;
- 5) Thence N.39°14'22"E., 21.02 feet, to a point;
- 6) Thence N.05°45'39" W., 17.49 feet to a point on the westerly boundary line of Parcel E;

- 7) Thence N.39°14'22"E., along the westerly boundary line of said Parcel E, 104.57 feet to a point;
- 8) Thence S.50°45'39" E., departing said westerly boundary line, 53.65 feet to a point;
- 9) Thence N.39°14'22"E., 9.30 feet to a point;
- 10) Thence S.50°45'39" E., 20.00 feet to a point;
- 11) Thence S.39°14'22"W., 9.30 feet to a point;
- 12) Thence S.50°45'39" E., 7.06 feet to a point;
- 13) Thence S.39°14'22"W., 23.00 feet to a point;
- 14) Thence N.50°45'39" W., 63.70 feet to a point;
- 15) Thence S.39°14'22"W., 70.28 feet to a point;
- 16) Thence S.05°45'39" E., 21.73 feet to a point;
- 17) Thence S.39°14'22"W., 29.08 feet to a point;
- 18) Thence S.51°00'28" E., 240.65 feet to a point;
- 19) Thence S.70°01'00" E., 90.65 feet to a point;
- 20) Thence N.89°42'12" E., 8.21 feet to a point;
- 21) Thence S.00°17'43" E., 20.00 feet to a point;
- 22) Thence S.89°42'17" W., 11.79 feet to a point;
- 23) Thence N.70°00'58" W., 10.67 feet to a point;
- 24) Thence N.00°17'43" W., 3.01 feet to the Northeast corner of Parcel G on said Record of Survey number 13881;
- 25) Thence S.89°42'17" W., along the North line of said Parcel G, 8.14 feet to a point;
- 26) Thence N.70°01'00" W., 78.22 feet to a point;
- 27) Thence N.51°00'28" W., 153.03 feet to a point;

28) Thence S.00°38'35" W., 26.17 feet, to a point on the southerly line of Parcel E;

29) Thence N.50°45'39" W., 7.07 feet; to **THE POINT OF BEGINNING**,

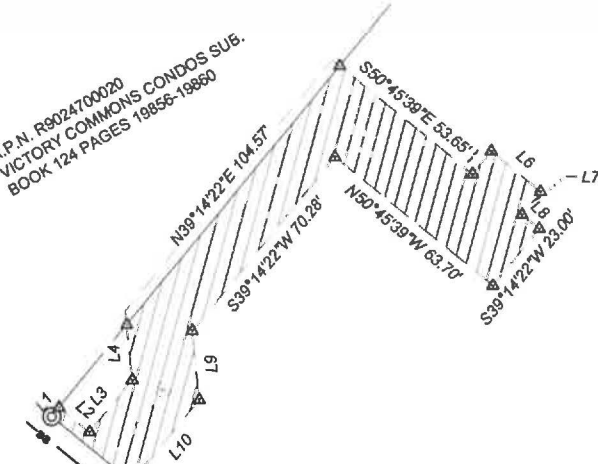


**EXHIBIT B**  
**SEWER AND WATER EASEMENT**  
 FOR  
**PARCEL E ROS 13881**  
 LOCATED IN GOVT. LOT 4, SECTION 19, TOWNSHIP 3 NORTH, RANGE 1  
 EAST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO  
 2024



0 30 60  
 SCALE 1" = 60'

A.P.N. R9024700020  
 VICTORY COMMONS CONDOS SUBJ.  
 BOOK 124 PAGES 19856-19860



Line #	Length	Direction
L1	3.68'	N39°14'22"E
L2	12.37'	S51°05'56"E
L3	21.02'	N39°14'22"E
L4	17.49'	N5°45'39"W
L5	9.30'	N39°14'22"E
L6	20.00'	S50°45'39"E
L7	9.30'	S39°14'22"W
L8	7.06'	S50°45'39"E
L9	21.73'	S5°45'39"E
L10	29.08'	S39°14'22"W
L11	8.21'	N89°42'12"E
L12	20.00'	S0°17'43"E
L13	11.79'	S89°42'17"W
L14	10.67'	N70°00'58"W
L15	3.01'	N0°17'43"W
L16	8.14'	S89°42'17"W
L17	26.17'	S0°38'35"W
L18	7.07'	N50°45'39"W

**LEGEND:**

- CALCULATED POINT
- FOUND ALUMINUM CAP
- FOUND 5/8 INCH IRON PIN  
PLS 19630 OR AS NOTED
- FIRE HYDRANT
- WATER METER
- WATER VALVE
- SANITARY SEWER MANHOLE
- SECTION LINE
- EASEMENT AREA
- PARCEL LINE
- WATER LINE
- SEWER LINE
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- A.P.N. ASSESSORS PARCEL NUMBER

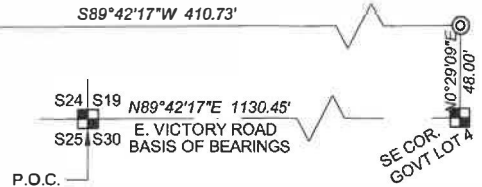
P.O.B.  
 NORTHWEST CORNER  
 PARCEL G  
 ROS 13881

A.P.N. R9024780070  
 PARCEL D  
 ROS 13881

A.P.N. R9024780110  
 PARCEL E  
 ROS 13881

A.P.N. R9024780170  
 PARCEL G  
 ROS 13881

SOUTHWEST CORNER  
 PARCEL G  
 ROS 13881



**HORROCKS**  
 ENGINEERS

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

(208) 895-2520  
 www.horrocks.com

**EXHIBIT B**

**SEWER & WATER EASEMENT**

**DRAWING INFO**

DATE 06/14/24

SCALE 1"=60'

REV # DATE

SEE SHEET 1 FOR DESCRIPTION

PROJ. NO: ID-9129-24

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