

ESMT-2022-0239 Timberline Subdivision No. 2
Water Main Easement No. 1

WATER MAIN EASEMENT

THIS Easement Agreement, made this 4th day of October, 2022 between Bailey Investments LLC ("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

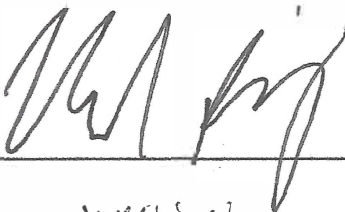
public street, then, to such extent, such right-of-way and easement hereby granted which lies within such boundary thereof or which is a part thereof, shall cease and become null and void and of no further effect and shall be completely relinquished.

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.

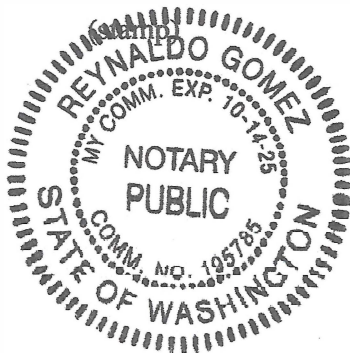
IN WITNESS WHEREOF, the said parties of the first part have hereunto subscribed their signatures the day and year first herein above written.

GRANTOR:



Washington
STATE OF ~~IDAHO~~)
Snohomish) ss
County of ~~Ada~~)

This record was acknowledged before me on 07/07/2022 (date) by Mark A Bailey (name of individual), [complete the following if signing in a representative capacity, or strike the following if signing in an individual capacity] on behalf of Bailey Investments, LLC (name of entity on behalf of whom record was executed), in the following representative capacity: Managing Member (type of authority such as officer or trustee)




Notary Signature
My Commission Expires: 10/14/2025

GRANTEE: CITY OF MERIDIAN

Robert E. Simison, Mayor 10-4-2022

Attest by Chris Johnson, City Clerk 10-4-2022

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

This record was acknowledged before me on 10-4-2022 (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 Signature
My Commission Expires: 3-28-2028



Sawtooth Land Surveying, LLC

2030 S. Washington Ave.
Emmett, ID 83617
P: (208) 398-8104
F: (208) 398-8105

EXHIBIT A

Timberline Subdivision No. 2 Water Easement Description

BASIS OF BEARINGS for this description is South $89^{\circ}22'15''$ East between an aluminum cap marking the N1/4 corner of Section 25 and the aluminum cap marking the northeast corner of Section 25, both in T. 3 N., R. 1 W., B.M., City of Meridian, Ada County, Idaho.

A 20-foot wide easement being a portion of Record of Survey 8105, Ada County Records and located in the NW1/4 of the NE1/4 of Section 25, T. 3 N., R. 1 W., B.M., City of Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at an aluminum cap marking the N1/4 corner of Section 25;

Thence South $00^{\circ}26'28''$ West, coincident with the west line of said NW1/4 of the NE1/4, a distance of 90.00 feet to the southerly right of way of W. Victory Road and the northeast corner of Kentucky Villas Subdivision, as shown in Book 112 of plats, at Page 16368-70, Ada County Records;

Thence continuing South $00^{\circ}26'28''$ West, coincident with east line of said Kentucky Villas Subdivision, 93.18 feet to the **POINT OF BEGINNING**;

Thence leaving said east line, South $89^{\circ}22'15''$ East, parallel with the north line of said NW1/4 of the NE1/4, a distance of 115.86 feet to the beginning of a non-tangent curve to the left with a radius of 55.00 feet;

Thence 20.11 feet along the arc of said curve, with a central angle of $20^{\circ}57'05''$, subtended by a chord bearing South $00^{\circ}26'02''$ West, 20.00 feet;

Thence North $89^{\circ}22'15''$ West, parallel with said north line, 115.86 feet to said east line of Kentucky Villas Subdivision;

Thence North $00^{\circ}26'28''$ East, coincident with said east line, 20.00 feet to the **POINT OF BEGINNING**.

The above described easement contains 0.053 acres, more or less.

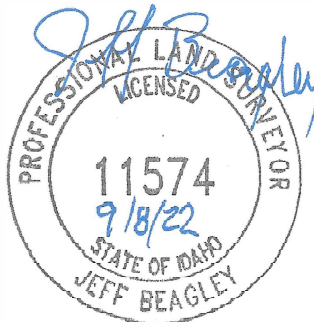
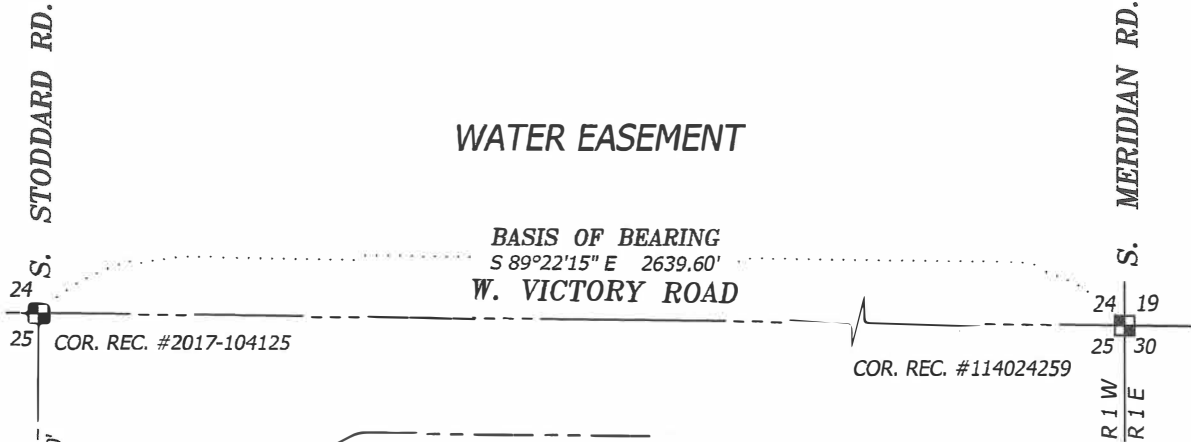


Exhibit B

WATER EASEMENT



CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	20.11'	55.00'	20°57'05"	S 00°26'02" W	20.00'

PROPOSED TIMBERLINE
SUBDIVISION NO. 2

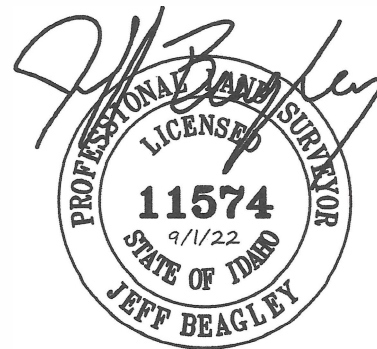
LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°26'28" E	20.00'

POINT OF
BEGINNING

KENTUCKY VILLAS SUBDIVISION
BOOK 112 PAGE 16368

NTS



PROJECT:

TIMBERLINE SUBDIVISION NO. 2
WATER EASEMENT EXHIBIT
CITY OF MERIDIAN
ADA COUNTY

OWNER/DEVELOPER:

BAILEY
INVESTMENTS

DATE: 9/2022



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DWG #
19383-EX

PROJECT #
19383

SHEET
1 OF 1