

Project Name: Ustick Rd, Black Cat Rd to Ten Mile Rd
Project: 522025.001
Name: City of Meridian; City of Meridian, a Municipal Corporation; City of Meridian, an Idaho municipal
R/W Parcel No: 04,23
3N1W4
APN: R8528160120, S0434438850

TEMPORARY CONSTRUCTION EASEMENT

THIS INDENTURE, made this _____ day of _____, 20____, by and between, **City of Meridian; City of Meridian, a Municipal Corporation; City of Meridian, an Idaho municipal**, hereinafter "GRANTOR" and **ADA COUNTY HIGHWAY DISTRICT, a body politic and corporate of the State of Idaho**, hereinafter "ACHD";

WITNESSETH:

FOR VALUE RECEIVED, and for the term and uses and on the terms and conditions hereinafter set forth, GRANTOR does hereby grant to ACHD an easement (the "Easement") under, over, through and across that certain real property owned by GRANTOR situated in the COUNTY OF ADA, STATE OF IDAHO more particularly described/depicted on Exhibit "A" attached hereto and by this reference made a part hereof (the "Servient Estate").

This grant is made on the following terms:

1. Authorized Uses By ACHD. ACHD's use of the Easement granted herein shall be in connection with the construction and improvement of a highway on adjoining and abutting property owned by ACHD municipally known as **Ustick Rd and Black Cat Rd**, (the "Dominant Estate"), for access and egress for equipment and vehicles, for construction, excavation, storage of earth and other materials thereon, for surveying, and for all other reasonable uses that are necessary, advisable or convenient to ACHD in connection with such highway construction and improvement project, and for ingress and egress to and from the Dominant Estate.
2. Use by Others Under ACHD. ACHD's right to so use the Servient Estate during the term of the Easement shall extend to use by ACHD's Commissioners, employees, contractors, and agents.
3. Term. This Easement shall be for a term commencing on the date construction activities begin on the Servient Estate and expiring one year after the date construction activities begin on the Servient Estate, provided that ACHD may elect to extend this Easement for an additional year by paying GRANTOR a sum equal to the value received for this Easement. In the event the highway construction and improvement project on the Dominant Estate is completed prior to the expiration of the term of this Easement, this Easement shall terminate automatically. On the expiration of the term of this Easement, the rights and privileges granted to ACHD hereunder shall cease and terminate and this Easement shall be null and void and of no further force and effect.
4. Indemnification. ACHD hereby agrees to indemnify and hold GRANTOR harmless from and against any and all claims for loss, injury, death and damage caused by or arising out of the use of the Servient Estate by ACHD, its Commissioners, employees, contractors and agents, hereunder, and including, without limitation, attorney's fees and costs that might be incurred by GRANTOR in defending any such claims.

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5. Restoration on Expiration of Term. On the expiration of the term of this Easement, the Servient Estate shall be restored by ACHD, at its sole cost and expense, to at least as good a condition as existing on the date of this Indenture.

6. Binding Effect. This Easement, and the covenants and agreements herein contained, shall, during the entire term hereof, be binding upon and inure to the benefit of (i) ACHD AND GRANTOR, respectively, and their successors and assigns, and (ii) their respective interests in the Dominant and Servient Estates.

7. Appurtenant. The Easement herein granted is appurtenant to the Dominant Estate.

TO HAVE AND TO HOLD this Easement unto the ACHD for the term hereinabove set forth.

GRANTOR covenants to ACHD that ACHD shall enjoy the quiet and peaceful possession of the Servient Estate throughout the term hereof; and, GRANTOR warrants to the ACHD that GRANTOR is lawfully seized and possessed of the Servient Estate and has the right and authority to grant this Easement to ACHD.

IN WITNESS WHEREOF, this Temporary Construction Easement has been duly executed by the parties, the day, month, and year herein first above written.

GRANTOR: City of Meridian; City of Meridian, a Municipal Corporation; City of Meridian, an Idaho municipal

By:
Its:

By:
Its:

ADA COUNTY HIGHWAY DISTRICT:

David Serdar, Right-of-Way Supervisor

Shannon Graham, Sr. Right-of-Way Agent

NO ACKNOWLEDGEMENT NEEDED. THIS EASEMENT IS NOT TO BE RECORDED

The Ada County Highway District (ACHD) is committed to compliance with Title VI of the Civil Rights Act of 1964 and related regulations and directives. ACHD assures that no person shall on the grounds of race, color, national origin, gender, disability or age, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any ACHD service, program or activity.

NOTES

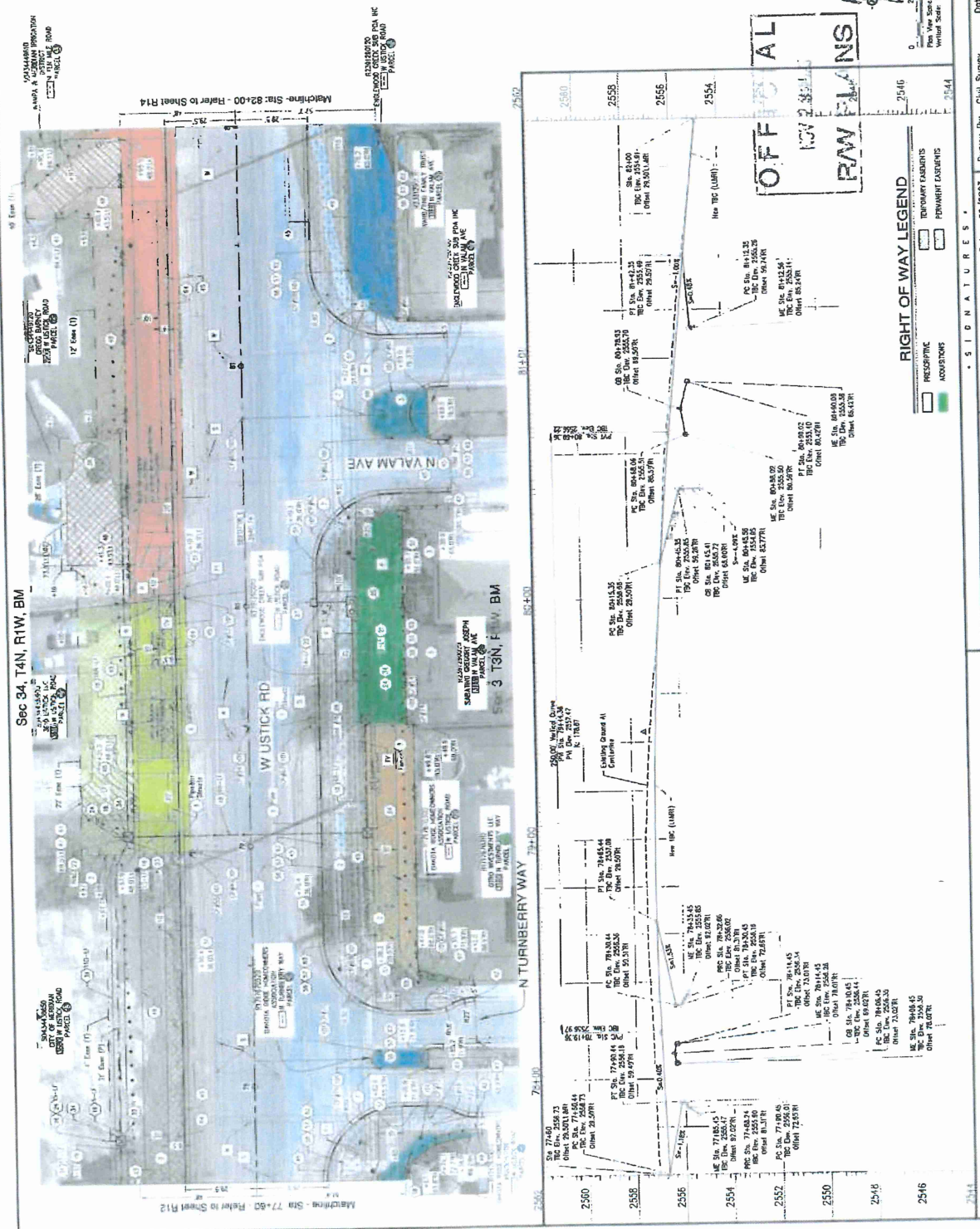
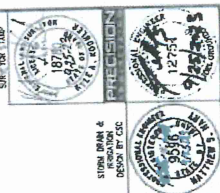
- [illegible]

CHAMBERS

- NEW J12: Oilfield Box • TDVC
 Size 804-88.1L, Oilfield 04.99' IN
 Hot Drilling 717.751.560
 Fuel Lines 2442-937.970

CONTROL POINTS
DATE: 8/10/06; 8:00 AM

- | File | Size | Time | Access | Permissions | Owner | Group | Mode | File | Size | Time | Access | Permissions | Owner | Group | Mode |
|------|---------|-------|--------|-------------|-------|-------|------|------|---------|-------|--------|-------------|-------|-------|------|
| 141 | 5/17/76 | 12:00 | RESET | | | | | 142 | 5/17/76 | 12:00 | RESET | | | | |
| 143 | 5/17/76 | 12:00 | RESET | | | | | 144 | 5/17/76 | 12:00 | RESET | | | | |
| 145 | 5/17/76 | 12:00 | RESET | | | | | 146 | 5/17/76 | 12:00 | RESET | | | | |
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| 199 | 5/17/76 | 12:00 | RESET | | | | | 200 | 5/17/76 | 12:00 | RESET | | | | |



File: 09/2023	Survey by: CIVIL Survey
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By: Precision

Note: 09/2023

By: Precipitation

Revisions:

Project Number: 322024/ Project Name: Ustick Road, Black Cat Rd / Ten Mile Rd

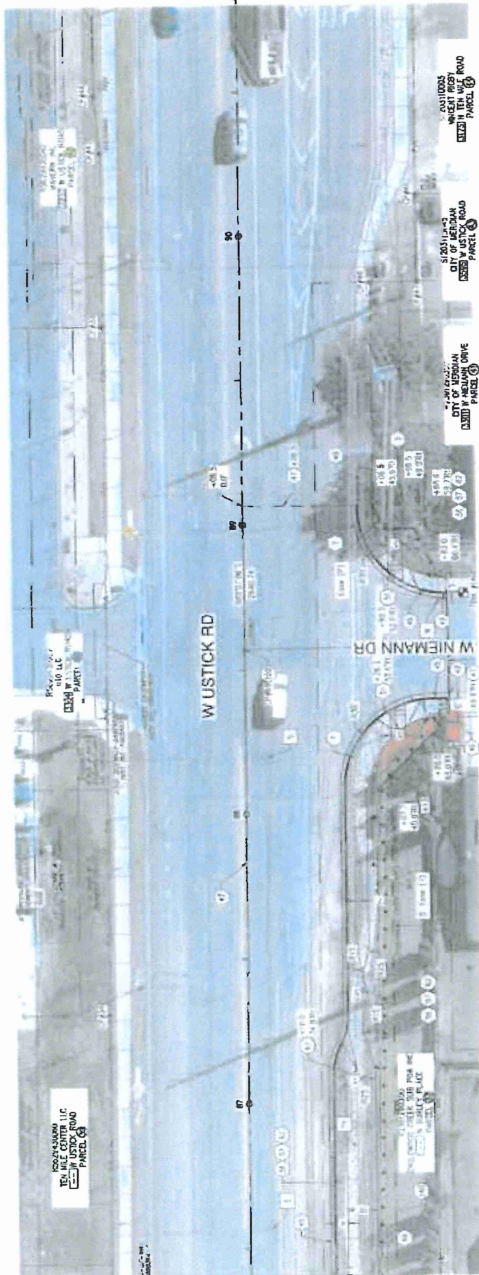
3775 Adome Street, Gordon City, LA
www.achididohp.org

Highway District

Ada County, ID

□

Sec 34, T4N, R1W, BM



NOTES

1. Job Title: Item SPP 20090
2. Review Date: 04/2023
3. Reviewer: 04/2023
4. Standard 4" Vertical Curve and Offset to 3" Select Out and Offset.
5. Standard 4" Vertical Curve and Offset, Item 704.11.1.5
6. Standard 4" Vertical Curve and Offset, Item 704.11.1.5
7. Standard 4" Vertical Curve and Offset, Item 704.11.1.5
8. Standard 4" Vertical Curve and Offset, Item 704.11.1.5
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99. Standard 4" Vertical Curve and Offset, Item 704.11.1.5
100. Standard 4" Vertical Curve and Offset, Item 704.11.1.5

OFFICIAL
NOV 29 2023
RAW PLANS

BENCHMARKS

BM 100+00
Elev: 2558.12
Offset: 0.00

CONTROL POINTS

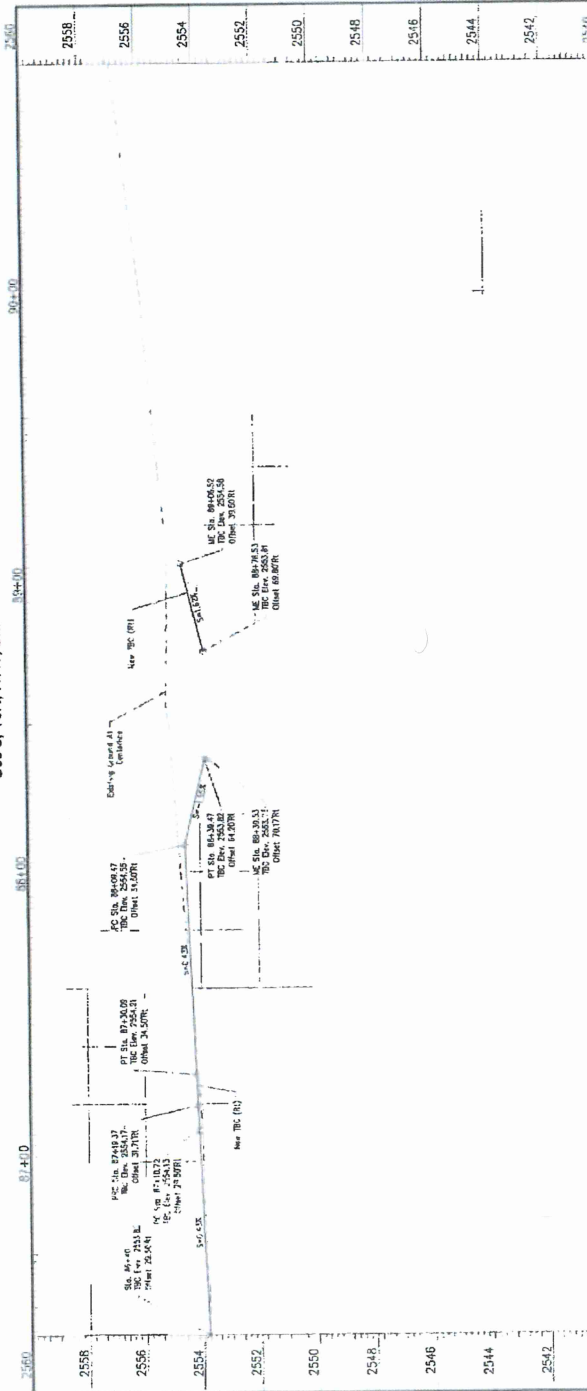
CP 100+00
Elev: 2558.12
Offset: 0.00

RIGHT OF WAY LEGEND

PROPOSED
ADJUSTING
TEMPORARY EASEMENTS
PERMANENT EASEMENTS



Sec 3, T3N, R1W, BM



Revisions:

Design By: Precision

Date: 09/2023

Survey By: Precision

Date: 04/2022

Project Name: Ustick Road, Black Cat Rd / Ten Mile Rd

Project Number: 322024/

Sheet R15 Of R20

3775 Adams Street, Suite 100, Boise, ID 83714

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