

NO. 591275
AT THE REQUEST OF
CITY OF MOSCOW
DATE & HOUR 3-27-18 8:00 AM
HENRIANNE A. WESTBERG
LATAH COUNTY RECORDER
FEE \$ 0 BY: [Signature]

RELEASE OF EASEMENT

THIS RELEASE OF EASEMENT ("Release") is executed this 26th day of March, 2018 by 3100 Capital LLC, 4930 Lenville Road, Moscow, ID 83843 (hereinafter, "3100 Capital"), and the Moscow Urban Renewal Agency, 206 E. Third Street, Moscow, ID 83843 (hereinafter "MURA").

WHEREAS, the 3100 Capital owns real property situate in the City of Moscow, Latah County, State of Idaho, to wit (hereinafter the "3100 Capital Property"):

Described in "Grant of Easements", (hereinafter "Grant of Easements") executed by Latah County Grain Growers, Grantor, on May 18, 2004, and recorded under Latah County Recorder's number 487236, records of Latah County, Idaho, as:

Beginning at the northeast corner of Section 18, T39 North, R5W BM; thence S 87°45'28" W, 355.69 feet along the north line of said Section 18; thence S 0°40'41" W, 193.65 feet to a point on the west right-of-way line of Jackson Street and the TRUE POINT OF BEGINNING;

Thence S 0°40'41" W, 366.51 feet;
Thence N 36°36'06" W, 208.34 feet;
Thence N 44°47'54" W 120.52 feet;
Thence N 49°30'56" E, 37.72 feet;
Thence N 7°46'11" W, 51.71 feet;
Thence N 1°42'20" W, 32.25 feet;
Thence N 88°17'30" E, 192.83 feet, to the TRUE POINT OF BEGINNING.

Also described in "Warranty Deed" recorded under Latah County Recorder's number 515502, records of Latah County, Idaho, as:

A parcel of land located in the NE1/4/NE1/4 of Section 18, Township 39 North, Range 5 West, B.M. and being more particularly described as follows:

Commencing at the Northeast corner of said Sec. 18; thence S 87°45'28" W, 3636.92 feet along the north line of said Section 18; thence S 0°40'41" W, 193.58 feet to a point on the west right-of-way line of Jackson Street and the TRUE POINT OF BEGINNING;

Thence continuing along said right of way, S 0°45'10" W, 354.42 feet;
Thence departing said right of way, N 36°36'32" W, 193.76 feet;
Thence N 44°47'56" W, 120.35 feet;
Thence N 49°30'56" E, 37.72 feet;
Thence N 7°46'11" W, 51.71 feet;
Thence N 1°42'20" W, 32.25 feet;
Thence N 88°17'28" E, 184.35 feet to the TRUE POINT OF BEGINNING.

and;

WHEREAS, the MURA owns real property situate in the City of Moscow, Latah County, State of Idaho, to wit (hereinafter "MURA Property"):

Described in "Grant of Easements", (hereinafter "Grant of Easements") executed by Latah County Grain Growers, Grantor, on May 18, 2004, and recorded under Latah County Recorder's number 487236, records of Latah County, Idaho, as:

A parcel of land located in the NE1/4NE1/4 of Section 18, Township 39N, R5W, B.M., and being more particularly described as follows:

Beginning at the northeast corner of Section 18, T39 North, R5W BM; thence S 87°45'28" W, 355.69 feet along the north line of said Section 18; thence S 0°40'41" W, 40.26 feet to a point on the west right-of-way line of Jackson Street and the TRUE POINT OF BEGINNING;

Thence S 0°40'41" W, 153.39 feet;

Thence S 88°17'28" W, 216.18 feet;

Thence N 40°29'13" W, 53.83 feet;

Thence N 1°42'23" W, 111.29 feet;

Thence N 88°17'28" E, 256.27 feet to the TRUE POINT OF BEGINNING.

Also described in "Warranty Deed" recorded under Latah County Recorder's number 539491, records of Latah County, Idaho, as:

A parcel of land located in the NE1/4NE1/4 of Section 18, Township 39N, R5W, B.M., and as shown on Record of Survey recorded under Recorder's Fee No. 506752 and being more particularly described as follows: Beginning at the northeast corner of said section 18, thence S 87°45'28" W, 363.92 feet (record 355.69 feet) along the north line of said section 18, thence S 00°45'10" W, 40.19 feet, to a point on the west right of way line of Jackson Street and the TRUE POINT OF BEGINNING;

Thence S 0°45'10" W, 153.39 feet;

Thence S 88°17'28" W, 207.70 feet (record 216.18 feet);

Thence N 40°29'13" W, 53.83 feet;

Thence N 01°42'23" W, 111.29 feet;

Thence N 88°17'28" E, 248.00 feet (record 256.27 feet) to the TRUE POINT OF BEGINNING.

and;

WHEREAS, Latah County Grain Growers, Inc., an Idaho Corporation, (hereinafter Latah County Growers) was a predecessor in interest for the 3100 Capital and MURA properties; and

WHEREAS, the 3100 Capital and MURA properties described above were subject to a "Grant of Easements", (hereinafter "Grant of Easements") executed by Latah County Grain Growers, Grantor, on May 18, 2004, and recorded under Latah County Recorder's number 487236, records of Latah County, Idaho. The Grant of Easements granted an easement for ingress and egress across a portion of the 3100 Capital Property referred to therein as Easement 1 ("Easement 1") and across a portion of the MURA Property referred to therein as Easement 2 ("Easement 2"); and

WHEREAS, the MURA Property is benefitted by the Grant of Easement 1; and

WHEREAS, the 3100 Capital Property is benefitted by the Grant of Easement 2; and

WHEREAS, the Grant of Easements terminated by its own terms when the 3100 Capital Property "is no longer utilized for agricultural purposes"; and

WHEREAS, the 3100 Capital Property ceased to be utilized for agricultural purposes over ten (10) years ago.

NOW, THEREFORE, the 3100 Capital and MURA hereby agree as follows:

1. Recitals. All of the foregoing recitals are true and correct and expressly incorporated herein by this reference.
2. Release of Easement 1. MURA hereby releases, terminates, and relinquishes Easement 1 and any and all rights, title and interest in and to the 3100 Capital Property as granted by the Grant of Easements.
3. Release of Easement 2. The 3100 Capital hereby releases, terminates, and relinquishes Easement 2 and any and all right, title and interest in and to the MURA Property as granted by the Grant of Easements.
3. Recording. Upon execution, this Release may be recorded in the Public Records of Latah County, Idaho. This Release is binding upon the 3100 Capital, its successors and assigns, and the MURA, its successors and assigns, and shall run with the properties affected thereby.

IN WITNESS WHEREOF, this Release has been executed by The 3100 Capital, LLC and the Moscow Urban Renewal Agency on the day and year first above written.

3100 Capital, LLC:

BY: Andrew Crapuchettes, Governor

Elise Crapuchettes

BY: Elise Crapuchettes, Governor

Moscow Urban Renewal Agency:

Steve McGeehan

BY: Steve McGeehan, Chair

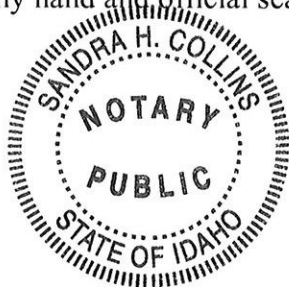


ACKNOWLEDGMENTS

State of IDAHO)
) ss.
 County of LATAH)

On this day personally appeared before me Andrew Crapuchettes, in his official capacity as Governor of 3100 Capital, LLC, known to me to be the person described in the foregoing instrument and acknowledged that he executed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 26th day of March, 2018.



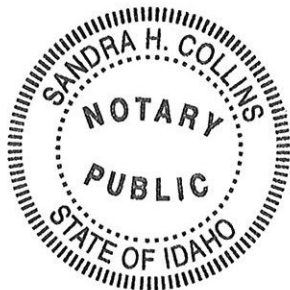
Suomin
 Notary Public in and for the State
 of IDAHO
 _____, residing at MOSCOW
IDAHO.

ACKNOWLEDGMENTS

State of IDAHO)
) ss.
 County of LATAH)

On this day personally appeared before me Elise Crapuchettes, in her official capacity as Governor of 3100 Capital, LLC, known to me to be the person described in the foregoing instrument and acknowledged that she executed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 26th day of March, 2018.



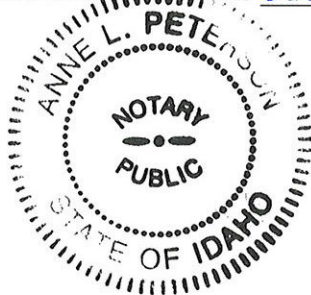
Suomin
 Notary Public in and for the State
 of IDAHO
 _____, residing at MOSCOW,
ID.

ACKNOWLEDGMENTS

State of Idaho)
) ss.
County of Latah)

On this day personally appeared before me Steve McGeehan, in his official capacity as Chair of the Moscow Urban Renewal Agency, known to me to be the person described in the foregoing instrument and acknowledged that he executed the same on behalf of the Moscow Urban Renewal Agency as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal, this 26th day of March, 2018.



Anne Peterson
Notary Public in and for the State
of Idaho
residing at Moscow
Idaho.