

RIGHT OF WAY EASEMENT
TO SOUTHERN MONROE WATER AUTHORITY

1. Name(s) of Owner(s): Owner #1: _____
Owner #2: _____
2. Address of Real Estate: _____
3. Legal Description of real estate subject to this Easement (from Deed including Section, Township and total acres or lot number from recorded plat): _____

4. Owner's Deed as recorded as Instrument # _____ in Book _____ at Page _____.

The Owner(s) named above (hereinafter referred to as Grantor) for good and valuable consideration, including the mutual covenants contained in this Right of Way Easement, does hereby grant and convey to the: Southern Monroe Water Authority (said authority existing pursuant to Indiana Code 13-18-16-16 as the former Southern Monroe Water Corporation reconstituted as the Southern Monroe Water Authority effective August 27, 2012), its successors and assigns, the perpetual Easement with the right to erect, construct, install, lay and thereafter use, operate, inspect, repair, maintain, replace and remove water lines, including main lines and service lines, water meter or meters, as well as such other equipment and fixtures as are necessary for the operation of the water system owned by the Southern Monroe Water Authority, over and across the real estate described above, owned by the Grantor(s), which said land is located in Monroe County, State of Indiana.

This Right of Way Easement conveys to the Southern Monroe Water Authority the right of Ingress and Egress to any and all of the Grantor's land for the purposes and rights designated in this document. The permanent easement granted herein shall be fifteen (15) feet in width, the centerline of which shall be the actual location of the water line located on the above described real estate. The temporary construction easement, for the purposes of installing a water meter or water meters, or installing new lines including, but not limited to, a service line connecting the main line to the water meter, shall be thirty (30) feet in width, the centerline of which shall be the actual location of said lines, meter or meters, or other equipment or fixtures.

The Grantor(s) and their successors and assigns shall not interfere with the right of the Southern Monroe Water Authority to maintain, operate, inspect, use and repair the water lines, meters and equipment served by this Right of Way Easement, and said Grantor(s), the successors or assigns, shall not reduce the ground cover over any installed water line or engage in any conduct which has a negative impact on any water line, equipment or fixture of the Southern Monroe Water Authority. This permanent easement given to the Southern Monroe Water Authority shall permit said entity to erect, install and maintain such poles, posts, signs, markers, or meter reading equipment as are necessary to the operation of said water system.

The Southern Monroe Water Authority will maintain this easement in a state of good repair so that no unreasonable damages will result to the Grantor's premises from the use of this easement. The Grantor(s), the successors and assigns, shall refrain from placing any permanent structure over the pipeline and equipment of the Southern Monroe Water Authority and shall hold the water authority harmless from any costs or expenses incurred by the Southern Monroe Water Authority as a result of having to cut through asphalt, concrete or a similar material in order to exercise its rights of maintenance as described in this easement, including attorney fees incurred by Southern Monroe Water Authority to enforce this Easement.

This permanent right of way easement shall constitute a covenant running with the land for the benefit of the Southern Monroe Water Authority, its successors and assigns. The Grantor(s) covenants that they are the owners of the above described real estate and that said lands are free of all encumbrances and liens except those recorded and indexed and now appearing on the records of the offices of the Recorder, Auditor, Treasurer, Sheriff, and Clerk of the Circuit Court, all in Monroe County, State of Indiana.

IN WITNESS WHEREOF, the said Grantor(s) have executed this Right of Way Easement this _____ day of _____, 20__.

GRANTOR

GRANTOR

STATE OF INDIANA)
) SS:
COUNTY OF _____)

Before the undersigned, a Notary Public in and for said County and State, this _____ day of _____, 20____, personally appeared _____, who acknowledged the execution of the foregoing document to be his/her free and voluntary act and deed.

WITNESS my hand and notarial seal.

Resident of _____ County Notary Public

My Commission Expires:

I AFFIRM UNDER THE PENALTIES FOR PERJURY, THAT I HAVE TAKEN REASONABLE CARE TO REDACT EACH SOCIAL SECURITY NUMBER IN THIS DOCUMENT, UNLESS REQUIRED BY LAW.

NAME

This instrument was prepared by Edward F. McCrea, McCREA & McCREA, 119 S. Walnut Street, P.O. Box 1310, Bloomington, IN 47402

MUST BE NOTARIZED AND RECORDED AT THE COUNTY RECORDER'S OFFICE