

APPLEWOOD SANITATION DISTRICT

EASEMENT PREPARATION AND SUBMITTAL PROCEDURES AND CHECKLIST

These procedures have been prepared in order to provide general guidelines for the submittal of information necessary for the preparation of sewer easements for the Applewood Sanitation District. This information generally includes legal descriptions and drawings, an overall easement drawing, and a title commitment. Information contained herein should be used in conjunction with the District's sewer system specifications.

All information required in the submittal section of these procedures must be presented to the District prior to the approval of and release of construction plans. Submittals must be accompanied by this form with Part A completed by the Easement Grantor or his designated representative.

Submittals

The following information must be presented in two copies to the District Engineer of the Applewood Sanitation District.

1. A legal description and an 8-1/2" X 11" or 11" X 17" drawing of each proposed easement. The drawing must be prepared in either 1" = 50 feet or 1" = 60 feet scale.

Each separate property ownership requires a separate legal description and drawing. Legal descriptions and drawings shall be numbered consecutively as parcel number 1, parcel number 2, etc.

All legal descriptions and drawings must have ties to public land corners or platted lot corners.

The acreage of the proposed easements shall be indicated on the legal descriptions and drawings.

2. Easement Agreement Language as follows:

The Grantor is the property owner, the Grantee is the Applewood Sanitation District.

Together will full rights and authority to Grantee, its successors, licensees, lessees, contractors or assigns, and its and their agents and employees to enter at all times upon said premises to survey,

construct, operate, repair, remove, replace, reconstruct, patrol, inspect, improve, enlarge and maintain sanitary sewer line facilities, and other fixtures, devices and appurtenances used or useful in connection therewith.

The above described easement is hereby granted to the following terms and conditions:

- 1) Incidental or unavoidable damage to Grantor's property and or improvements caused by Grantee's reasonable exercise of its rights under this agreement shall not be borne by Grantee.
 - 2) In the event Grantor shall deem it necessary in order to develop the property owned by Grantor, Grantor may relocate this easement and Grantee's pipeline at Grantor's expense and with Grantee's prior approval, such approval not to be unreasonably withheld, to a location which will accommodate Grantor's development. Grantor agrees to locate the new pipeline and easement as near as is reasonably possible to the existing easement and pipeline and not to unreasonably interfere with the operation of the pipeline.
 - 3) Grantor warrants that it has full right, title and lawful authority to grant this easement and to make and enforce the promises herein subject to existing easements, restrictions, and rights-of-way of record. Grantor agrees to defend the District in the exercise of its rights hereunder against any defect in Grantor's title to the land involved or against the absence of right of the Grantor to make the grant hereinabove contained.
 - 4) This agreement shall insure to the benefit of and be binding upon the parties hereto and their respective successors and assigns and all rights herein granted, or any of them separately, may be released or assigned in whole or part. It is understood that this agreement cannot be changed in any way expect in writing, signed by the Grantor and a duly authorized agent of the Grantee.
3. An overall survey drawing, certified by a licensed land surveyor, showing all proposed easements, as well as all existing easements, including pocket easements, ditches, and structures.
 4. A current title commitment or title policy on the tract of land over which easement is to be granted.

5. Proof of ownership as described in Part A (below).

Part A (to be completed by Grantor)

1. On the lines provided below, please type or print the name of the Grantor for each easement exactly as the Grantor's name appears on the Deed by which the Grantor took title to the property. If the Grantor is a corporation, please list the State of organization, plus the names of all general partners. If grantor is a general partnership, a copy of the recorded trade name affidavit must be furnished. If Grantor is a limited partnership, a certificate of limited partnership must be provided.

<u>Easement Number</u>	<u>Name, title, address and telephone number of persons who will be signing Easement Deed</u>
_____	_____

_____	_____

_____	_____

2. Please provide the name, address, and telephone number of the party to whom the prepared documents should be forwarded for signature.

<u>Easement Number</u>	<u>Name, address & telephone number</u>
_____	_____

_____	_____

3. A request is made to include the following special provisions within the Easement Deed. Please explain the reasons such special provisions are desired.

Part B (to be completed by District Engineer)

1. I have reviewed the proposed easements and recommend that they be accepted by the District.

Engineer for the District

Date Approved