

RIGHT OF WAY EASEMENT
JAMES KIMZEY REGIONAL WATER DISTRICT
319 West Third Street
Malvern, AR 72104
(501) 337-0037

KNOW ALL THESE PRESENTS:

That in consideration of One Dollar (\$1.00) and other good and valuable considerations paid to _____, hereinafter referred to as GRANTOR, by the James Kimzey Regional Water District, hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged, the GRANTOR does hereby grant, bargain, sell, transfer and convey unto the GRANTEE, its successors and assigns, a perpetual easement with the right to erect, construct, install and lay, and thereafter use, operate, inspect, repair, maintain, replace and remove water pipes and components for transmission of drinking water over, across, and through the land of the GRANTOR situate in _____ County, State of Arkansas, said easement and land being described as follows:

A water line easement fifteen (15) feet wide, being seven and a half (7 ½) feet on each side of the center line of the water line as located and installed and being located upon and across that part of GRANTORS lands more particularly described as follows:

together with the right of ingress and egress over the adjacent lands of the GRANTOR, his successors and assigns for the purposes of this easement and right of way.

This grant and conveyance shall consist of a permanent easement which shall be fifteen feet in width plus a temporary easement sufficiently wide enough to construct and install the line. The center line of this easement is defined and described as follows:

Due to variance in topography, the location of the lines or pipes as laid shall constitute the center line of this easement and right of way.

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the GRANTOR, his successors and assigns, by reason of the installation, operation, and maintenance of the structures or improvements referred to herein. The GRANTEE covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent lands of the GRANTOR, his successors and assigns.

GRANTOR shall have the right to fully use and enjoy the above-described premises provided such use shall not interfere with the rights herein granted. GRANTEE hereby covenants and agrees that in the exercise of the rights herein granted it will, as nearly as possible, restore said lands to the same condition as found by it, and that it will bury said line and main to a sufficient depth as will not interfere with the ordinary use of said lands.

The right to cultivate and otherwise use said right of way by the GRANTOR except for the purposes herein granted to the GRANTEE, is especially reserved, and if the GRANTEE should ever permanently abandon the use of said right of way for the purposes herein conveyed it shall revert to the GRANTOR and their heirs or assigns.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

WITNESS our hands and seals this ____ day of _____, 20____.

Grantor

Grantor

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF _____

Before me, the undersigned, a Notary Public, duly commissioned and acting within and for the County and State aforesaid, personally appeared _____, to me well known as the grantor and the person whose name is subscribed in the foregoing instrument and stated that _____ had executed the same for the consideration and the purposes therein mentioned and set forth.

WITNESS my hand and seal as such Notary Public on this ____ day of _____, 20____.

NOTARY PUBLIC

My Commission Expires: