

Prepared By: \_\_\_\_\_

**GRANT OF WATER EASEMENT**

MADE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_

BY: \_\_\_\_\_,

whose address is \_\_\_\_\_

(Hereinafter referred to as "Grantor");

FOR THE BENEFIT OF:

JACKSON TOWNSHIP MUNICIPAL UTILITIES AUTHORITY, a public body politic and corporate constituting a political subdivision of the State of New Jersey, having its principal offices at 135 Manhattan Street, Jackson, New Jersey 08527

(Hereinafter referred to as "Grantee");

WITNESSETH, that the said Grantor for and in consideration of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_) lawful money of the United States of America and other valuable consideration, receipt whereof is hereby acknowledged, does grant and convey unto the said Grantee, its successors and assigns;

ALL that right of a \_\_\_\_\_ foot (\_\_\_\_') wide perpetual easement ('permanent easement') in and along lands hereinafter described for the construction, installation, operation, removal, repair, relocation and maintenance of water mains, related utilities and/or appurtenances as required for the use, operation and maintenance thereof;

TO HAVE AND TO HOLD the same unto and to said use of said Grantee its successors, heirs and assigns and said easement to run with the land.

Said permanent easement lies in and along premises of Grantor designated on the Tax Map of the Township of Jackson, County of Ocean and State of New Jersey, as Lot \_\_\_\_\_ in Block \_\_\_\_\_ of the Township of Jackson and shall be \_\_\_\_\_ (\_\_\_\_\_) feet in width, extending \_\_\_\_\_ (\_\_\_\_\_) feet in each direction from the center line of such water mains as shall be laid therein and is more particularly described in Schedule "A" attached hereto and made a part hereof.

In addition to the aforesaid permanent easement, Grantor also conveys to Grantee a temporary construction easement, being \_\_\_\_\_ (\_\_\_\_\_) feet wide and running parallel to the aforesaid permanent easement. Said temporary construction easement shall be used during the course of construction for vehicles, equipment, work crews, materials, and the like, and shall expire upon completion of installation of the water mains, related utilities, and appurtenances and restoration of the property to grade.

Grantor does hereby covenant, agree and represent to Grantee that it is lawfully seized and possessed of the real estate above-described; that it has a good and lawful right to convey it; that said property is free of all encumbrances; and that it will forever warrant and defend the Grantee's right, title and interest therein against the claims of all persons whomsoever and shall indemnify and save the Grantee harmless from any and all claims, losses, damages, legal fees and expenses in the event such right, title or interest is challenged.

Grantor hereby represents and warrants that its conveyance of the aforesaid easement is unconditional and will not be affected by acts or omissions of any third party whatsoever.

Grantor does hereby covenant, agree and represent to Grantee that it shall not at any time construct buildings, permanent fixtures or improvements over, on or within such easement, plant trees therein, or otherwise interfere with its intended use in any manner whatsoever.

Grantee shall upon the conclusion of work performed within the easement fill all excavation, restore the premises to grades existing prior to any work being undertaken and seed all areas disturbed by Grantee during any work undertaken by or on behalf of Grantee in the easement.

IN WITNESS WHEREOF, the Grantors have this date signed and sealed this Grant of Easement.

WITNESS/ATTEST:

BY: \_\_\_\_\_

BY: \_\_\_\_\_

STATE OF NEW JERSEY )

SS:

COUNTY OF OCEAN )

I CERTIFY that on \_\_\_\_\_, 201\_\_\_\_, \_\_\_\_\_ personally came before me and this person acknowledged under oath, to my satisfaction, that:

(a) This person signed, sealed and delivered the attached document as \_\_\_\_\_ of the corporation named in this document;

(b) This document was signed and made by the corporation as its voluntary act and deed by virtue of authority from its Board of Directors; and

(c) This person knows the proper seal of the corporation which was affixed to this document; and

(d) This person signed this proof to attest to the truth of these facts.

Signed and sworn to before me on  
This \_\_ day of \_\_\_\_\_, 201\_\_\_\_.

\_\_\_\_\_  
Attesting Witness