

## UTILITY EASEMENT

THIS INDENTURE, made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between \_\_\_\_\_  
\_\_\_\_\_ (hereinafter "Grantor") and INDIANA-AMERICAN WATER COMPANY, INC., a  
corporation organized and existing under the laws of the State of Indiana, having an office for the transaction of  
business at 153 North Emerson Avenue, Greenwood, Indiana, 46143 (hereinafter "Grantee").

### W I T N E S S E T H

The Grantor, in consideration of the covenants and agreements hereinafter recited and the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby sell, give, grant and convey unto the Grantee, its successors and assigns, forever, an easement in, under, across and over the real estate of the Grantor, situated in \_\_\_\_\_ County, Indiana, more particularly described on Exhibit A and as shown on the sketch, Exhibit B, both attached hereto and made a part hereof, for the purpose of installing, laying, operating, maintaining, inspecting, removing, repairing, replacing, relaying and adding to from time to time water pipe or pipes, together with all necessary fittings, valves, hydrants, meters, appurtenances and attached facilities, including service lines of its customers, service pipes and laterals and connections for the transmission and distribution of water.

Together with the right to the Grantee, its successors and assigns, to use reasonable additional space adjacent to the above described easement as may be required during the periods of construction and maintenance to (i) enter in and upon the real estate described above with men and machinery, vehicles and material at any and all times for the purpose of installing, maintaining, repairing, renewing or adding to the aforesaid water pipe lines and attached facilities, (ii) remove trees, bushes, undergrowth and other obstructions interfering with the activities authorized herein, and (iii) for doing anything necessary, useful or convenient for the enjoyment of the easement herein granted.

The right of the Grantor to freely use and enjoy its interest in the real estate is reserved to Grantor, its successors and assigns insofar as the exercise thereof does not endanger or interfere with the construction, operation, and maintenance of Grantee's water pipe lines and attached facilities, except that no building, structure or similar

improvements shall be erected within said easement, nor shall the grade or ground cover over Grantee's facilities be substantially altered, without the consent of the Grantee. Notwithstanding the foregoing, no other pipes or conduits shall be placed within ten (10) feet, measured horizontally, from the said water pipes except pipes crossing same at right angles, in which latter case, a minimum distance of two (2) feet shall be maintained between the pipes. All sewer pipe shall be laid below the water pipes. No excavation or blasting shall be carried on which in any way endangers or might endanger the water pipe lines and attached facilities.

TO HAVE AND TO HOLD the above granted easement unto the same Grantee, its successors and assigns forever.

The Grantee agrees, by the acceptance of this easement that, upon any opening made in connection with any of the purposes of this easement, said opening shall be backfilled and resurfaced to as nearly as possible the same condition as existed when said opening was made, provided that Grantee shall not be obligated to restore landscaping, other than reseeding any grass which was removed upon entry, all such work to be done at the expense of the Grantee.

Grantor warrants and will defend title to said easement during its existence with Grantee, its successors and assigns, for the use and benefit against all parties whomsoever. Grantor acquired title to said real estate on which the easement is located by deed recorded in Deed Book \_\_\_\_\_ Page \_\_\_\_\_ or as Instrument No. \_\_\_\_\_ in the Office of the Recorder of Deeds for \_\_\_\_\_ County, Indiana.

IN WITNESS WHEREOF, the Grantor has duly executed this INDENTURE, all as of the day and year first above written.

(Husband and Wife)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Printed Name)

STATE OF \_\_\_\_\_ )

) SS

COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_ and \_\_\_\_\_, his wife, to me known to be the persons described in, and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

My commission expires: \_\_\_\_\_

\_\_\_\_\_  
Notary Public

This Document was prepared by the Legal Department of Indiana-American Water Company, Inc., 153 North Emerson Avenue, Greenwood, Indiana 46143. David L. Pippen, Vice President Legal and Corporate Secretary for Indiana-American Water Company, Inc. hereby acknowledges that reasonable care has been taken to redact any Social Security Numbers from this document. When recorded, please return to Tracy S. White at Indiana-American Water Company, Inc., 153 North Emerson Avenue, Greenwood, Indiana 46143.

(Single)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

STATE OF \_\_\_\_\_ )  
 ) SS  
COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, before me, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_, to me known to be the person described in, and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed, and he/she further declared himself/herself to be single and unmarried.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

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(Corporation)

\_\_\_\_\_  
(Name of Corporation)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name and Title)

STATE OF \_\_\_\_\_ )

) SS:

COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_ to me known, who, being by me duly sworn did say that he/she is \_\_\_\_\_ of \_\_\_\_\_, a \_\_\_\_\_ corporation, and that said instrument was signed in behalf of said corporation by authority of its Board of Directors, and said \_\_\_\_\_ acknowledged said instrument to be the free act and deed of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

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(Trust)

\_\_\_\_\_  
(Name of Trust)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Printed Name)

STATE OF \_\_\_\_\_ )

) SS:

COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_, Trustee of the \_\_\_\_\_ Trust, dated \_\_\_\_\_ to me known to be the person described in, and who executed the foregoing instrument and that he/she acknowledged that he/she executed the same as his/her free act and deed as said Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

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CITY OF \_\_\_\_\_

BY \_\_\_\_\_

Mayor

\_\_\_\_\_  
City Clerk

STATE OF \_\_\_\_\_ )

) SS:

COUNTY OF \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, a Notary Public in and for said County and State, personally appeared \_\_\_\_\_, Mayor of the City of \_\_\_\_\_ and the foregoing instrument was signed in behalf of the City of \_\_\_\_\_ by authority of Ordinance No. \_\_\_\_\_ passed \_\_\_\_\_, 20\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

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**Instructions for preparation of the easement document:**

1. Fill in the blanks as appropriate, leaving those which the property owner must complete.
2. Use only the appropriate signature page and notary acknowledgement, the remaining signature pages and notary acknowledgement pages should be discarded.
3. At the bottom of the appropriate signature page and notary acknowledgement, fill in person's name at the Water Company who should receive the easement after it is recorded. Any questions you may have concerning the preparation of the easement document, or any revisions to it, should be directed to the Director of Corporate Counsel of Indiana-American Water Company (David L. Pippen, 317-807-2460, david.pippen@amwater.com). In order for the review to take place, a copy of the deed for the property must accompany the easement document.
4. Attach Exhibits A and B. If the easement description and sketch are both on one sheet/exhibit adjust the text to refer to only one exhibit.
5. Any revisions to this easement document must be submitted to the Vice President Legal and Corporate Secretary for Indiana-American Water for review with the Legal staff prior to submittal to the property owner.

End of Instructions