

When recorded, mail to
City Clerk
211 West Aspen Avenue
Flagstaff, Arizona 86001

**Public Water and Appurtenances
(Water Easement)**

For valuable consideration, the sufficiency and receipt of which is hereby acknowledged, _____, hereinafter referred to as (“Grantor”), hereby grants and conveys unto the CITY OF FLAGSTAFF, a municipal corporation organized and existing under and by virtue of the laws of the State of Arizona (“Grantee”), an exclusive easement for water purposes, under, over and across the real property of Grantor; located at _____ in Flagstaff, Arizona, situated in Coconino, Assessor Parcel Number _____, and as legally described and depicted in the attached **Exhibit A** (“Public Water Easement”), Subject to the following terms and conditions:

1. Grantee shall have the right to locate, operate, repair, replace, alter and maintain (“Work”) under ground waterlines and related facilities within the Public Water Easement.
2. Grantee shall have the rights of ingress and egress across adjacent property owned or controlled by Grantor where reasonably required to gain access to the real property subject to this easement.
3. This Public Water Easement is granted on an exclusive basis to Grantee. Grantee shall have the right to use the easement for water services provided and approved by Grantee.
4. Grantee may remove, alter or maintain vegetation, improvements, or obstructions within the limits of the real property subject to this easement that conflict with the public utility uses.
5. Grantee shall restore the real property to its prior condition upon completion of any work by Grantee, its employees, contractors, or licensees; following such restoration Grantor shall remain responsible for any ongoing maintenance of the surface of the real property subject to this easement.
6. To the extent permitted by Arizona law, Grantee hereby covenants to indemnify and save Grantor harmless from any liabilities for injuries or damages to persons or property arising out of use of this Water Easement by Grantee, its employees, contractors, or licensees.
7. Grantor shall have the right to use and enjoy the real property subject to this Water Easement provided such use and enjoyment does not interfere with Grantee's ability to utilize the Water Easement granted herein. Grantor may not construct or permit erection or other structure or improvement that in Grantee’s sole opinion would interfere with the operation of utilities within the Water Easement granted herein, unless Grantee gives written consent.

IN WITNESS WHEREOF, Grantor has caused this Water Easement to be executed this ____ day of _____, 2019.

Grantor:

By: _____
Title: _____

STATE OF ARIZONA)

County of Coconino)

On this _____ day of _____, 2019, before me, a Notary Public, personally appeared _____, whose identity was proven to me on the basis of satisfactory evidence to be the person who he or she claims to be, and who acknowledged that he or she signed this Water Easement.

Notary Public

(Seal)