

INSTRUCTIONS FOR DRAINAGE EASEMENT
OWNER TO OWNER

The following are instructions for the completion of DRAINAGE EASEMENT for individual tracts.

- A. Request shall be on the standard form, as supplied by the Drainage Board.
- B. Exhibits to be included with easement form:
 - 1. Legal description of property easement is being granted on. A copy of the Grantor's deed will suffice.
 - 2. Site plan/map showing location, length and width of easement on Grantor(s) property. Please show parcel numbers for parcels involved on site plan/map.
- C. Easement needs to be signed by Grantor(s) and must be notarized.

Please return completed form to the Surveyor Office/Drainage Board for processing.

DRAINAGE EASEMENT

THE INDENTURE WITNESSETH: That _____ (landowner(s), hereinafter the "Grantor") for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby convey to _____ (landowner(s), hereinafter the "Grantee") a non-exclusive perpetual easement through, upon, over, along and across the following described real property located in Madison County, Indiana, (the "Easement") to-wit;

SEE EXHIBITS

This Easement is granted for the purpose of providing overland or subsurface paths and courses for the construction, maintenance, preservation of storm drainage. The Grantor reserves for themselves and their successors and assigns the right to use the Easement for any uses which are not inconsistent with the purposes herein. However, the event the Grantor, or their successors, elect or desire to do any construction or alterations to the Real Estate within the Easement, they shall do so only upon approval of the Grantee. The Grantor further agrees that they shall not grant any easements to any other utilities, or other persons, through the real estate described herein, without consent of the Grantees, and if said grants are given, those easements shall be subject to the Grantee's rights to regulate and permit construction or alteration with the Easement.

In the event the Grantee, its employees, or contractors are required to come upon the real estate contained in the Easement to replace, restore, or clear any drainage structures, ditches, drains, or swales contained therein, the Grantee shall only be liable to restore the Grantor's real estate to its previous grade, and to reseed and undertake erosion control measures as are required by 327 IAC 15-5 as amended. The Grantee, its employees, or contractors shall not be liable to Grantor, or his successor in title, for any improvements to the real estate, landscaping, sod or any other improvements within the Easement which are damaged in the course of the repair of the drainage structure, ditches, drains, or swales contained in the Easement area.

This Drainage Easement and the agreements herein shall run with the land and shall be binding and inure to the benefit of the Grantor and its successors and assigns and upon the Grantee and its successors.

IN WITNESSETH WHEREOF, the Grantor has executed this Drainage Easement on this _____ day of _____, 20____.

GRANTOR

Signature

Signature

Printed

Printed

STATE OF)
)
COUNTY OF) SS:

Subscribed and sworn to before me, a Notary Public this _____ day of _____ 20____ personally appeared the within named _____ and acknowledged the execution of the foregoing document.

WITNESS my hand and official seal.

Notary Public,
Residing in _____ County, IN

MY COMMISSION EXPIRES: _____

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each social security number in the document unless required by law. _____

ACCEPTANCE OF DRAINAGE EASEMENT

The undersigned Madison County Drainage Board does hereby accept the dedication of the described drainage easement between _____ and _____ as recorded in the Madison County Recorder Office, Madison County, Indiana; Instrument number _____.

MADISON COUNTY DRAINAGE BOARD

Brian Bays, Chairman

John Richwine, Vice Chairman

Ray Hiatt, Member

Jeff Purdue, Member

Nathan Wood, Member

ATTEST:

Anjanette Cox
Drainage Board Secretary