

RIGHT OF WAY AGREEMENT

This agreement, made this _____ day of _____, 20_____, between

Names

Address

hereinafter called *Grantors*, and WILDERNESS PUBLIC SERVICE DISTRICT hereinafter called *Water Company*.

WITNESSETH: That in consideration of One Dollar (\$1.00) cash in hand paid and of other good and valuable considerations, the receipt and sufficiency of all of which are hereby acknowledged, *Grantors* do hereby grant and convey unto *Water Company*, its successors and assigns, a temporary right of way easement approximately 30 feet in width and approximately _____ feet in length for construction purposes and a permanent right of way easement approximately 15 feet in width and approximately _____ feet in length, which is described as follows: _____

in, on, over, under, through and across those certain lands situate in Nicholas County, West Virginia, which is a part of the lands described in Deed Book No. _____, Page No. _____, in the County Clerk's Office of the aforesaid County; for the purpose of ingress and egress and the temporary placement of earth and equipment.

Said easement shall be used for the purpose of installing, constructing, laying, operating, maintaining, inspecting, repairing, replacing and/or removing water transmission lines and appurtenances. *Grantors* reserve the right to otherwise use said lands in any way not inconsistent with the use of the rights herein granted; however, and with the intent to bind *Grantors* and anyone who at any time hereafter may own or be entitled to any part of or interest in said lands, *Grantors* covenant that there will not, without the written consent of the *Water Company*, be placed or erected any permanent-type structure, or, septic tanks, in, on, across or over the easement area, nor will its surface grade be changed more than six (6) inches.

Water Company covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the *Grantor*, his successors and assigns.

Declaration of Consideration or Value: The *Grantors* hereby declare that the total consideration for the property transferred by this document is less than one hundred dollars (\$100.00) and that such transfer is therefore exempt by statute for state excise tax upon the privilege of transferring real estate.

Grantor

Grantor

This document was prepared by Wilderness Public Service District

Please use applicable form attached to this sheet for signature acknowledgements.

STATE OF WEST VIRGINIA,

COUNTY OF NICHOLAS;

I, _____, A NOTARY PUBLIC IN AND FOR SAID
STATE, DO HEREBY CERTIFY THAT _____ AND
_____, WHOSE NAME/S IS/ARE SIGNED TO THE
WRITING ABOVE, HAS THIS DAY ACKNOWLEDGED THE SAME BEFORE ME.

GIVEN UNDER MY HAND THIS ____ DAY OF _____ 20 ____.

MY COMMISSION EXPIRES _____ 20 ____.

NOTARY PUBLIC

STATE OF WEST VIRGINIA,

COUNTY OF NICHOLAS;

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME
THIS ____ DAY OF _____ 20 ____ BY _____
OF _____, A _____
CORPORATION, ON BEHALF OF THE CORPORATION.

MY COMMISSION EXPIRES _____ 20 ____.

NOTARY PUBLIC