

ACCESS AND UTILITY EASEMENT

THE UNDERSIGNED, for and in consideration of the sum of One Dollar (\$1.00) and other valuable considerations, receipt of which is hereby acknowledged, hereby grants, sells, conveys, and delivers unto the City of Baldwin, Kansas, a municipal corporation, and Rural Water District #4, Douglas County, Kansas, hereinafter "Grantees", a permanent and perpetual Access and Utility Easement for the construction, installation, access to and maintenance of municipal water utilities including a metering station, metering station facility building and all appurtenances thereto, in, over, under, and through the following described tract of real estate situated in Douglas County, Kansas, to-wit and as further described on Exhibit A attached hereto:

A PORTION OF THE SOUTHWEST QUARTER OF SECTION 21, TOWNSHIP 13 SOUTH, RANGE 20 EAST OF THE SIXTH PRINCIPAL MERIDIAN, DOUGLAS COUNTY, KANSAS, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER; THENCE ON AN ASSUMED BEARING OF SOUTH 01 DEGREE 19 MINUTES 59 SECONDS EAST, COINCIDENT WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 174.80 FEET; THENCE NORTH 88 DEGREES 40 MINUTES 01 SECOND EAST, A DISTANCE OF 33.00 FEET TO THE EXISTING EAST RIGHT OF WAY LINE OF E. 1600 ROAD AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 40 MINUTES 01 SECOND EAST, A DISTANCE OF 140.00 FEET, THENCE SOUTH 01 DEGREE 19 MINUTES 59 SECONDS EAST, BEING 173.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 160.00 FEET; THENCE SOUTH 88 DEGREES 40 MINUTES 01 SECOND WEST, A DISTANCE OF 140.00 FEET TO SAID EXISTING EAST RIGHT OF WAY LINE; THENCE NORTH 01 DEGREE 19 MINUTES 59 SECONDS WEST, COINCIDENT WITH SAID EXISTING EAST RIGHT OF WAY LINE, A DISTANCE OF 160.00 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED TRACT OF LAND CONTAINING 22,400 SQUARE FEET, MORE OR LESS.

Grantees shall have the right of ingress and egress upon the above described Easement for the purpose of accessing, maintaining, repairing, or replacing said municipal utilities and otherwise make all uses of said Easement and do all things necessary or proper for the use of said Easement for said public facilities and structures.

Grantor shall do or cause nothing to be done to interfere with the Grantees' right of use of said Easement for the purposes herein stated.

THE UNDERSIGNED FURTHER WARRANT that it has good and lawful right to convey said easement, and will forever defend the title thereto.

THIS AGREEMENT is and shall be binding and obligatory upon the heirs, administrators, executors, personal representatives, successors, and assigns of the parties hereto.

DATED THIS ____ day of _____, 2013.

ON BEHALF OF THE CITY OF LAWRENCE:

Robert J. Schumm, Mayor

STATE OF KANSAS)
 :SS
COUNTY OF DOUGLAS)

BE IT REMEMBERED, that on this _____ day of _____, 2013, before me, the undersigned, a Notary Public in and for the County and State aforesaid came, Robert J. Schumm, Mayor of the City of Lawrence, Kansas, who is personally known to me to be the same person who executed the within and foregoing instrument of writing, and duly acknowledged the execution of the same.

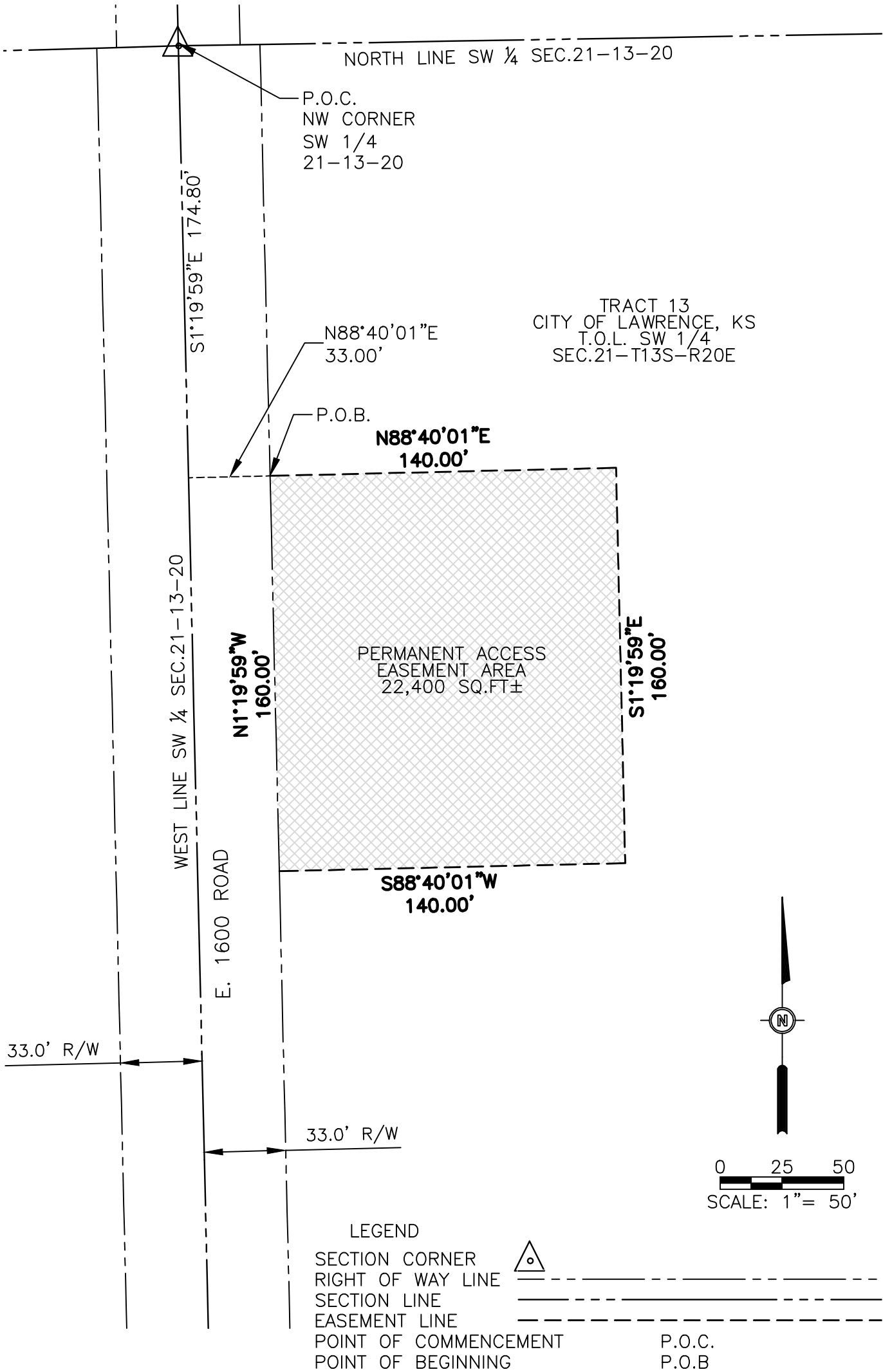
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Notary Public

My Commission Expires: _____

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EXHIBIT A



BARTLETT & WEST 1200 SW EXECUTIVE DRIVE TOPEKA, KANSAS 66615 PHONE 785-272-2252	O'CONNELL ROAD WATER MAIN EXTENSION TRACT 13-CITY OF LAWRENCE, KS DOUGLAS COUNTY, KANSAS	PROJ NO: 17992.000	SHEET NUMBER 1 OF 1
		DATE: 01-16-13	