

Recording Requested by and  
Upon Recordation, Please Return to:

**PADRE DAM MUNICIPAL WATER DISTRICT**  
Post Office Box 719003  
Santee, California 92072

EXEMPT FROM FILING FEES PURSUANT TO  
GOVERNMENT CODE, SECTION 6103

-- This Space for Recorder's Use Only --

## GRANT OF EASEMENT

PORTION OF ASSESSOR'S PARCEL NO. XXX-XXX-XX

EXEMPT FROM DOCUMENTARY TRANSFER TAX: \$0

FOR VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, XXXX ("Grantor") hereby grants to PADRE DAM MUNICIPAL WATER DISTRICT, a Municipal Water District of the State of California ("Grantee") a permanent (exclusive or non-exclusive) easement ("Easement") in, upon, over, and across the lands as described in **Exhibit "A"** and shown in **Exhibit B"** attached hereto and incorporated herein.

A. **Purpose.** The Easement is for the transmission and distribution of water, sewage and reclaimed water and improvements. The Easement includes Grantee's right to install, maintain, operate, repair, replace and increase any and all improvements within the Easement. The Easement also includes the right of ingress and egress to and along the Easement. Grantee shall have the right, but not the duty, to construct and maintain ingress and egress to Grantee's satisfaction. Ingress and egress shall be kept clear from any buildings, structures, fences, explosives, trees, shrubs, and other materials or growth, whether permanent or temporary.

B. **Future Construction.** Grantor shall not erect, place or construct, nor permit to be erected, placed or constructed, any buildings, structures, fences, explosives, trees or other materials or growths, whether permanent or temporary.

C. **Permission.** Grantor may receive permission, in Grantee's sole and absolute discretion, to erect and maintain fences across the Easement upon written request, conditional upon installation of adequate gates for Grantee's access to Grantee's facilities. Replacement and repair of any fences or gates for whatever reason shall be Grantor's sole responsibility and expense.

D. **Change of Ground Surface Elevation.** Grantor shall not increase or decrease the ground surface elevations within the Easement after installation of Grantee's facilities without prior written consent of Grantee. Such consent may be conditional upon the relocation of Grantee's facilities at no cost to Grantee.

E. **Right to Remove.** Grantee shall have the right, but not the duty, to trim or remove trees and brush along or adjacent to the Easement and remove roots from

within the Easement whenever Grantee deems it necessary. Said right shall not relieve the Grantor of the duty as owner to trim or remove trees and brush to prevent danger or hazard to property or persons.

**F. Use as a Roadway or Private Right-of-Way/Use as a Private Road/Maintenance.** Grantor waives any right under Civil Code section 845, and other right, to compel Grantee to repair, grade, surface or otherwise improve or maintain said easement as a roadway or private right-of way.

**G. Non-exclusive (optional).** The permanent Easement is non-exclusive. Grantee may allow, in its sole and absolute discretion, the right to allow others, including Grantor, the use of the Easement area. Such other permitted uses shall not interfere with Grantee's present or future use of the Easement.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Grantor Name

Dated: \_\_\_\_\_

\_\_\_\_\_  
Grantor Name

*(Notary Acknowledgment Required for Each Signatory)*

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*THIS IS TO CERTIFY that the interests in real property conveyed herein to PADRE DAM MUNICIPAL WATER DISTRICT, A Municipal Water District of the State of California, organized and existing under the Municipal Water District Act of 1911, as amended, is hereby accepted by order of its Board of Directors, and the Grantee consents to the recordation thereof by its duly authorized officer.*

**PADRE DAM MUNICIPAL WATER DISTRICT**

By: \_\_\_\_\_

Date: \_\_\_\_\_

Its: \_\_\_\_\_

**ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California                    )  
  ) ss.  
County of \_\_\_\_\_)

On \_\_\_\_\_ before me, \_\_\_\_\_ (insert name and title of the officer) personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ ( S e a l )

**ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California )  
 ) ss.  
County of \_\_\_\_\_)

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I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ ( S e a l )

**EXHIBIT A**  
Legal Description

**EXHIBIT B**  
Plat