Date: Monday, June 13, 2011

To: Honorable Mayor and City Council

From: Jackie Fields, City Engineer

Request:

Consideration of a request to accept a perpetual waterline easement from Ruth Anne Day Wood.

Background:

The City of Twin Falls Urban Renewal Agency (URA) is electing to install a 24" & 18" diameter waterline pipe in Kimberly Road from the Hankins Water tower to 3300 East and then south on 3300 East to Eldridge Avenue. The waterline and will improve fire flows to properties south of Kimberly Road between 3200 & 3300 east. In addition to the waterline improvement, the URA is installing 2 additional pumps and a backup generator as part of this project.

To construct said pipeline several private easements are necessary outside ITD and City of Twin Falls Right of way.

Approval Process:

City Council makes recommendation for Mayor to sign accepting public easement.

Budget Impact:

There is no budget impact associated with the Council's approval of this request.

Regulatory Impact:

Approval of this request will allow the URA to proceed with the project.

Conclusion:

Staff recommends that the Council approve the request as presented and the Mayor Sign attached easement accepting them.

Attachments:

1. Public Easement
2. Exhibit A (Easement Map)
3. Exhibit B (Legal Description)

PUBLIC EASEMENT

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, Michael R. Wood and Ruth Anne Day Wood, a married couple, hereafter referred to as "Grantor", do hereby irrevocably grant and convey unto the CITY OF TWIN FALLS, IDAHO, a municipal corporation, hereafter referred to as "Grantee", a perpetual water line easement to be located upon, pass through, and across lands owned by Grantor, in the County of Twin Falls, Idaho, at the northwest corner of Hankins Road and Kimberly Road. Said easement right-of-way is particularly described as:

See attached Exhibits A & B.

Grantor agrees not to build or permit any obstruction, building or other structure, over, on, around or about said easement right-of-way that would interfere with Grantee's right hereunder including Grantee's right of ingress and egress for maintenance and upkeep.

It is agreed that the consideration for the easement hereby given is the sum of One Hundred Ten Dollars ($110.00) together with other good and valuable consideration, the receipt of which is hereby acknowledged, and that no further sum shall be collected hereafter for said easement. This agreement, together with Exhibit 'A' covers all of the agreements by the parties hereto and the parties agree further that there are no written or verbal agreements otherwise which change or add to the terms hereof. This grant of easement is perpetual, and shall bind the parties, their heirs, personal representatives, lawful assigns and successors in interest.

TO HAVE AND TO HOLD, said easement unto Grantee, its successors and assigns this 10th day of May, 2011.

GRANTORS

Michael R. Wood

Ruth Anne Day Wood

Ruth Anne Day Wood

GRANTEE

City of Twin Falls

By:_____

~~Don Wood, Mayor~~

Don Hall, Mayor

Attest:_____

~~Tom Courtney, City Manager~~

Travis Rothweiler, City Manager

City Council Approval Date:_____

STATE OF IDAHO)
) ss.
County of ~~Twin Falls~~ Bannock)

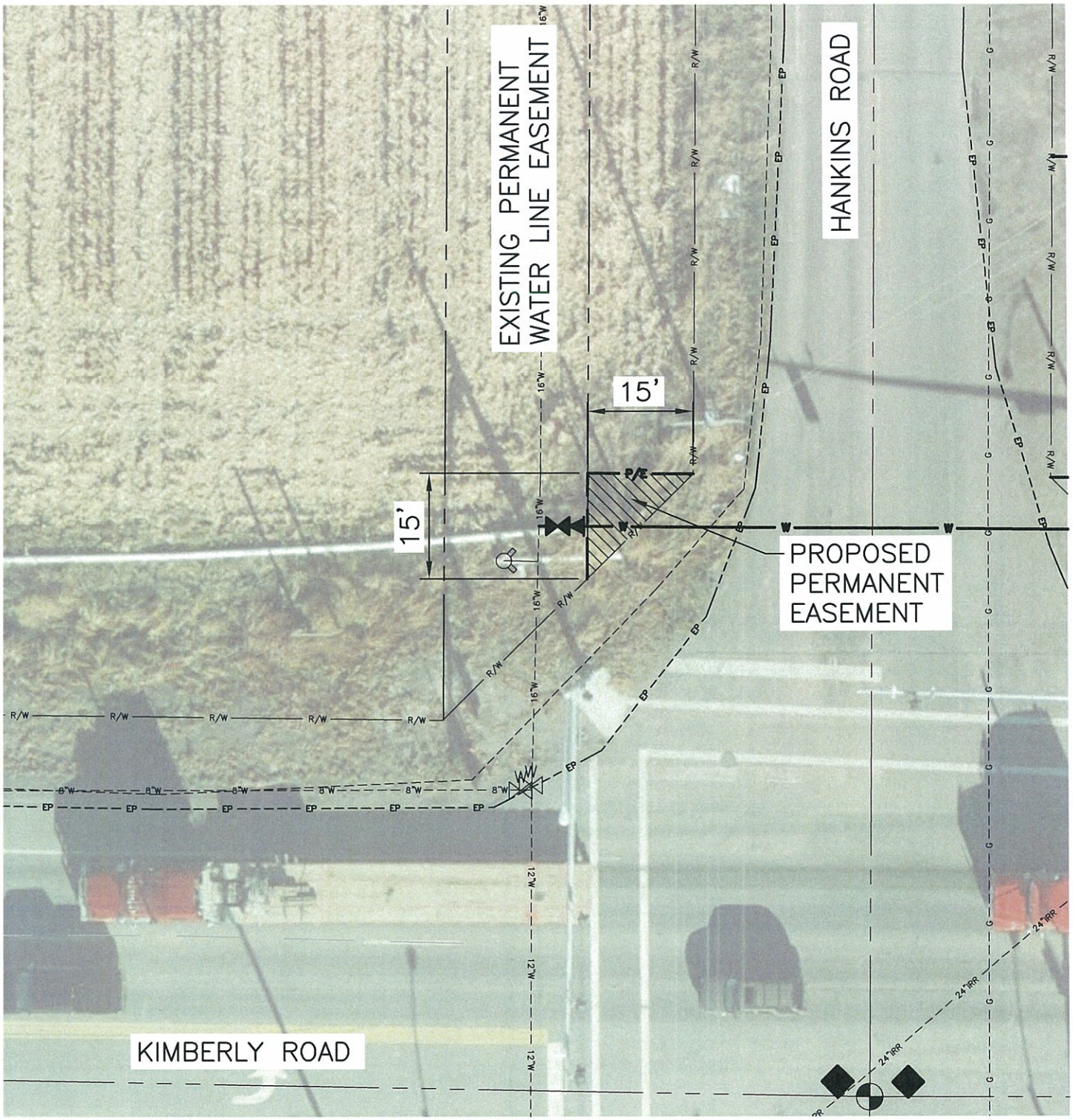
On this 10th day of May, 2011, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Michael R. Wood and Ruth Anne Day Wood, known to me to be the owners of the property and GRANTORS of the foregoing grant of easement, and acknowledged to me that they executed the same for and on behalf of themselves, having lawful authority to do so.

IN WITNESS THEREOF, I have hereunto set my hand and affixed my official seal, the day and year of this certificate first written.

LISA WOOD
NOTARY PUBLIC
STATE OF IDAHO

Lisa Wood
Notary Public in and for Idaho

Residing at Bannock County, Pocatello Idaho
Expires: 7/9/2016



P/E ≈ 110 sq ft

REUSE OF DRAWINGS

THIS DOCUMENT, AND THE IDEAS AND DESIGNS INCORPORATED HEREIN, AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF **J-U-B ENGINEERS, Inc.** AND IS NOT TO BE USED, IN WHOLE OR PART, FOR ANY OTHER PROJECT WITHOUT THE EXPRESS WRITTEN AUTHORIZATION OF **J-U-B ENGINEERS, Inc.**

NO	REVISION DESCRIPTION	BY	APR	DATE

FILE: 60-11-018 EASE
JUB PROJ. #: ####
DRAWN BY: SMD
DESIGN BY: JPE
CHECKED BY: DF
LAST UPDATED: 5/3/2011

J-U-B ENGINEERS, INC.

MICHAEL WOOD

PERMANENT EASEMENT

SHEET 1

Plot Date:5/3/2011 8:28 AM Plotted By: Shawn Dulin
Date Created:5/2/2011 F:\PROJECTS\JUB\60-11-018-TWIN_FALLS_URA_HANKINS_WATER_PHASE_2\CAD\SHEET\EXHIBITS\60-11-018 EASE.DWG

EXHIBIT B

PERMANENT EASEMENT
LEGAL DESCRIPTION
WOOD PARCEL

A parcel of land located in the Southeast Quarter, Southeast Quarter of Section 14, Township 10 South, Range 17 East, Boise Meridian, Twin Falls County Idaho, and being more particularly described as follows:

Commencing at the Southeast corner of said Section 14, from which the South Quarter corner of said Section bears North 88°50'38" West – 2602.23 feet;

THENCE North 00°27'33"East along the East boundary of said Section 14, a distance of 87.23 feet;
THENCE North 89°32'27" West, a distance of 25.00 feet to the Westerly Right-of-Way of Hankins Road and being the POINT OF BEGINNING;

THENCE South 45°35'03" West along said Right-of-Way, a distance of 21.02 feet;
THENCE North 00°27'33" East leaving said Right-of-Way, a distance of 14.83 feet;
THENCE South 89°32'27" East, a distance of 14.90 feet to said Right-of-Way and the POINT OF BEGINNING.

The above described parcel contains 110.5 square feet, more or less.

PROFESSIONAL LAND SURVEYOR
REGISTERED
4 May 11
10785
STATE OF IDAHO
R. THOMAS RUBY