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 Jayco Corporation.

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)

PUBLIC EASEMENT

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, Jayco Corporation, an Indiana Corporation, hereafter referred to as "Grantor", does 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, more particularly described as the westerly fifteen feet (15') of Lot 3, Block 3, Jayco Subdivision.

See attached Exhibit A

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 Dollar ($1.00) 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 11th day of May, 2011.

GRANTOR
Jayco Corporation, an Indiana Corporation

Wilbur Bontrager

By: Wilbur Bontrager, Chairman

STATE OF INDIANA)
) ss.
County of Elkhart)

On this 11TH day of MAY, 2011, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Wilbur Bontrager, known to me to be the Chairman of the above noted corporation, owner of the above noted property and GRANTOR of the foregoing grant of easement, and acknowledged to me that he executed the same for and on behalf of Jayco Corporation, 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.

Notary Public

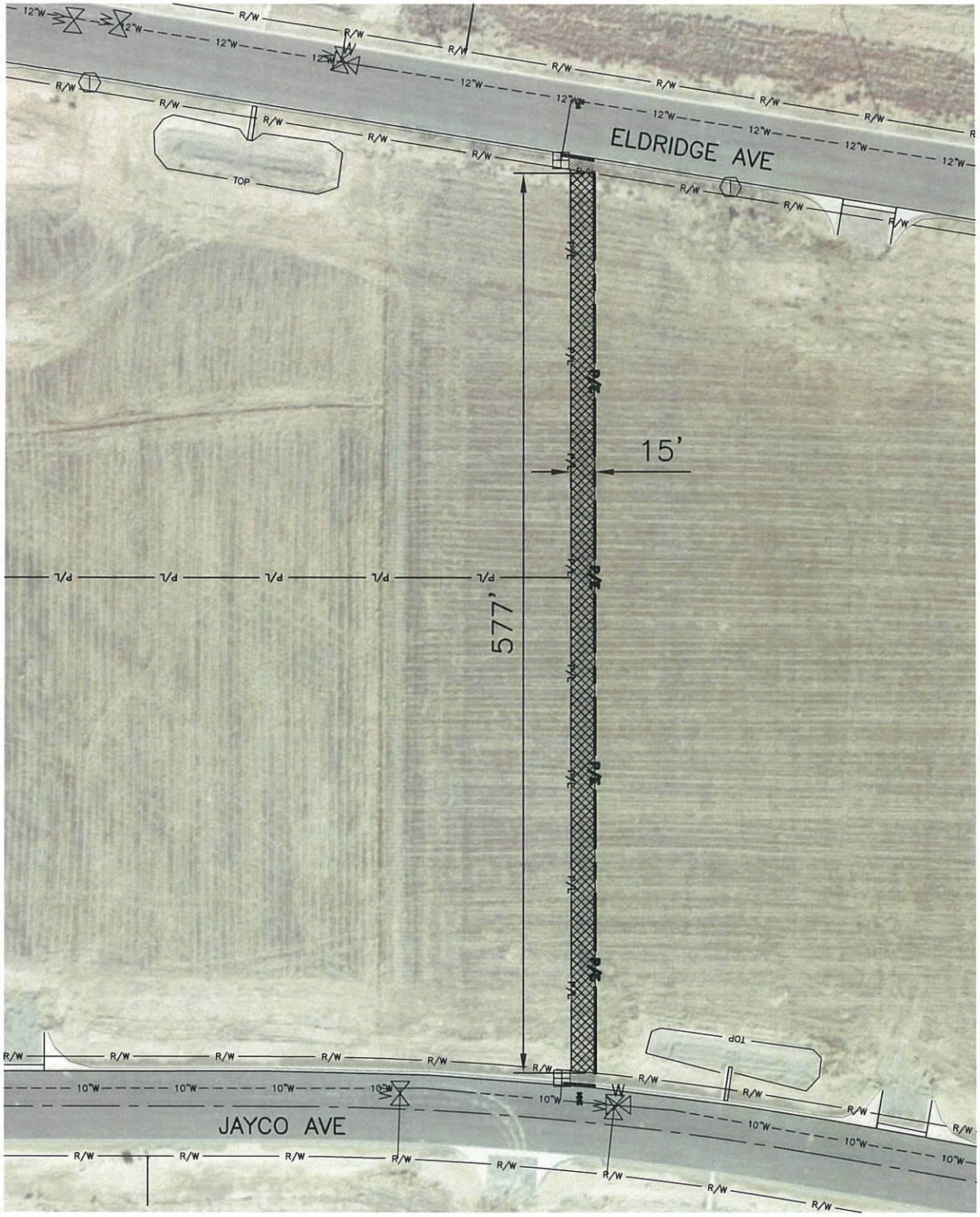
Residing at ELKHART COUNTY, INDIANA

GRANTEE
City of Twin Falls

By: _____
Don Hall, Mayor

Attest:_____
Travis Rothweiler, City Manager

City Council Approval Date:_____



P/E ≈ 8,670 sq ft

Plot Date: 6/3/2011 1:45 PM Plotted By: Gary Haderlie
Date Created: 5/2/2011 \\BOISEFILES\PUBLIC\PROJECTS\JUB\60-11-018-TWIN_FALLS_URA_HANKINS_WATER_PHASE_2\CAD\SHEET\EXHIBITS\60-11-018 EASE.DWG

REUSE OF DRAWINGS
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NO	REVISION DESCRIPTION	BY	APR	DATE

FILE: 60-11-018 EASE
JUB PROJ. #: ####
DRAWN BY: SMD
DESIGN BY: JPE
CHECKED BY: DF
LAST UPDATED: 5/10/2011

J-U-B ENGINEERS, INC.

EXHIBIT A
JAYCO SUBDIVISION

PERMANENT EASEMENT

SHEET 1