Tax Parcel No. P/O «Tax\_Parcel\_No»

Prepared by/Return to:

STATE OF DELAWARE

DEPARTMENT OF TRANSPORTATION

REAL ESTATE SECTION

250 Bear-Christiana Road

Bear, DE 19701

**PERMANENT EASEMENT AGREEMENT**

**This Permanent Easement AGREEMENT** (hereinafter “**Agreement**”) is made and entered into as of this \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_ by and between «Property\_Owner» (hereinafter “GRANTOR”) and the State of Delaware, acting by and through the Department of Transportation (hereinafter “GRANTEE”).

**WHEREAS**, the Owner holds title to certain land located «Property\_Location», as shown and noted on plans for the State Project No. «Project\_Number» as Parcel No. «State\_Parcel\_No», which are hereby incorporated by reference and made a part hereof (hereinafter collectively “**Exhibit**”); and

**WHEREAS**, DelDOT is desirous of obtaining a permanent easement over, under and across Owner’s land described above (hereinafter “**Property**”) to the extent indicated on the Exhibit attached hereto and made a part hereof.

**NOW THEREFORE**, for and in consideration of «PE\_Value\_Written» Dollars ($«PE\_Value\_») and other good and valuable consideration, the GRANTOR does by these presents grant, bargain, sell, convey and confirm unto GRANTEE or its successors a permanent easement for any and all highway related purposes including the right of GRANTEE to grant a public utility a franchise, permit or easement to install and maintain its facilities in, over or across said lands and premises; and

**FURTHER**, GRANTOR shall not use the Property in any way which will interfere with or be detrimental to the present or future use of the Property by GRANTEE; and

**FURTHER**, should this Agreement ever be abandoned by GRANTEE or by mutual agreement, then this Agreement shall terminate, be null and void and will no longer encumber the Property and such action shall be evidenced by a recorded release of easement.

**BEING** a part of the same lands which «Previous\_Owner», by Deed dated «DEED\_DATE», and recorded in the Office for the Recorder of Deeds in and for «Recorded\_in\_County» County, Delaware in Deed Record and/or Instrument Number «Instrument\_No», did grant and convey unto «GRANTOR», in fee.

**IN WITNESS WHEREOF**, the parties have hereunto set their hands and seals the day and year first above written.

**SIGNED, SEALED AND DELIVERED**

**IN THE PRESENCE OF**:

|  |  |
| --- | --- |
|  | «CORPLLCLP\_NAME» |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  | (SEAL) |
| Witness |  | «Signatory\_1» | (SEAL) |
| Witness |  | «Signatory\_2» | (SEAL) |
| Witness |  | «Signatory\_3» | (SEAL) |

Witness «Signatory\_4»

DelDOT’s address:

P.O. Box 778

Dover, Delaware 19903STATE OF :

:SS

COUNTY OF :

**PERSONAL**

**BE IT REMEMBERED** that on this day of , 20 personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, «Property\_Owner», party(ies) to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her/their act and deed.

**PARTNER**

**BE IT REMEMBERED** that on this day of , 20 personally came before me, the Subscriber, a Notary Public for the State and County aforesaid,

Partner(s) of «CORPLLCLP\_NAME», a limited partnership of the State of , parties to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his (their) act and deed as partner(s), and the act and deed of said limited partnership.

**LLC**

**BE IT REMEMBERED** that on this day of , 20 personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, , Member(s) of «CORPLLCLP\_NAME», a limited liability company of the State of , party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her (their) act and deed, as \_\_\_\_\_\_\_\_\_\_\_\_\_, and the act and deed of said limited liability company.

**CORPORATE**

**BE IT REMEMBERED** that on this day of , 20 personally came before me, the Subscriber, a Notary Public for the State and County aforesaid, , (Vice) President of «CORPLLCLP\_NAME», a corporation existing under the laws of the State of , party to this Indenture, known to me personally to be such, and acknowledged this Indenture to be his/her act and deed and the act and deed of said corporation, that the signature of the said thereto is in his/her own proper handwriting, and the seal affixed is the common and corporate seal of said corporation, and that this his/her act of sealing, executing, acknowledging and delivering said Indenture was duly authorized by a resolution of the Board of Directors of said corporation.

KEEP THIS AT END OF EACH JURAT

**GIVEN** under my Hand and Seal of office, the day and year first above written.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Notary Public/Attorney at Law