

GROUP WATER SUPPLY SCHEME

GRANT OF WAYLEAVE

GRANT made the _____ day of _____ 20

between _____ of _____

in the County of Donegal, (hereinafter called "the Owner") of the first part

and _____

being the Trustees of the _____ Group Water Supply Scheme, hereinafter called the "Trustees") of the second part, and the County Council of the County of Donegal, of County House, Lifford, in said County (hereinafter called "the Council") of the third part,

WHEREAS the Owner is the owner of certain lands hereinafter more particularly described, situate in the townland of _____ Barony of _____ and County of Donegal **AND WHEREAS** the Trustees are desirous of laying and keeping laid under the said lands a water pipe for the purpose of the said Group Water Supply Scheme.

AND WHEREAS in the event of the Council coming to an Agreement with the Trustees for the take-over of the said Group Scheme the Council wish to have the same rights in relation to the said water pipe as the Trustees.

NOW IT IS HEREBY WITNESSED that in consideration of the sum of €1, paid by the Trustees to the Owner and the further sum of €1, paid by the Council to the Owner (the receipt whereof is hereby acknowledged) the Owner as beneficial owner hereby grants to the Trustees and the Council and each of their heirs/successors, assigns agents and licensees:-

1. Full right and liberty to lay and keep laid under the said lands along the line marked _____ on said map annexed hereto, a water pipe for the purpose of the _____ Group Water Supply Scheme.
2. Full right and liberty to carry water through the said pipe for the purposes of the said Scheme and to maintain on or under the said lands all necessary valves, ball-cocks and other fittings as required for such purposes.

3. Full right and liberty at all reasonable times to enter on the said lands for the purposes of laying, inspecting, maintaining, improving, replacing, or repairing the said pipes or fittings and full right to carry out any such works and make any excavations necessary for such purposes along the said line marked _____ or within a distance of five metres either side of the said line provided that in so doing the Trustees/Council their heir/successors and assigns shall take all reasonable care and shall restore the surface of the lands on completion of any such excavations.

AND the Owner further covenants with the Trustees:-

- (i) To afford for the said pipe and fittings and maintain all such subjacent and lateral support as the said lands naturally provide.
- (ii) Not to interfere with or remove the said pipe or fittings.
- (iii) Not to do anything which might impede the flow of water through the said pipe.

AND THE Owner further covenants with the Trustees and the Council that in the event of the Council coming to an Agreement with the Trustees for the take-over of the said Group Water Supply Scheme as aforesaid the Council shall have all rights in respect of the said pipe as if the same had been laid by the Council pursuant to the Local Government (Sanitary Services) Acts, 1878 to 1964.

SIGNED SEALED AND DELIVERED

by the Owner:- _____

in the presence of:- _____

NOTE:

1. This form should be completed by each person (including non-participants) through whose lands Water Mains and Distribution Mains pass.
2. Before completion of the Grant, the relevant map must be affixed to the form and the Owners should sign the form in the space provided in the presence of one of the Trustees. He/she should also be asked to sign the back of the map