

## Exhibit B

### **Standard Easement Provisions Board of Water Commissioners**

Revision date: April 4, 2017

That a permanent utility easement shall be retained on, over, under and across the vacated area on behalf of the Board of Water Commissioners of the City of Saint Paul to reserve the right of the Board to maintain and operate any water facility in or upon said easement and to enter upon said easement, or any portion thereof, at any time and from time to time, for the purposes of future construction, reconstruction, inspection, maintenance or repair of the same, or any part thereof. Said utility easement shall be subject to the following requirements:

- a. No buildings, structures, trees or any temporary structure, material storage, fixture, and/or any other objects which may prohibit normal access to water facilities for maintenance purposes will be permitted within the easement area.
- b. Improvements in or upon the above described easement that do not prohibit the Board from exercising its reserved rights may be allowed by obtaining written permission from Saint Paul Regional Water Services with the understanding that the costs of such improvements shall be the sole responsibility of the petitioner, its successors and assigns in the event the Board exercises its reserved easement rights.
- c. Should it be necessary that the petitioner's works or improvements be removed or damaged as a result of Saint Paul Regional Water Services operations, all removal, replacement or modification costs shall be the sole responsibility of the petitioner.
- d. No change from the existing grade within the easement area shall be permitted without written permission from Saint Paul Regional Water Services.
- e. No change in surfacing within the easement area shall be permitted without written permission from Saint Paul Regional Water Services.
- f. The petitioner, its successors and assigns shall fully indemnify, defend, and save harmless the Board of Water Commissioners of the City of Saint Paul, its officers, agents, employees, and servants from all suits, actions or claims which shall arise from any injuries or damages received or sustained by any break in any service pipe, water main, or connection in said reserved easement, arising out of or resulting from any action or negligence of the petitioner, its employees, agents or, business invitees.