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Prepared by: Wm. Burger LandSurveying, 510 3rd St. W Court, Worthington, IA 52078
319-855-2028

DATE 11-7-97 BOOK 7 PAGE 134

Prepared by: Wm. Burger of Wm. Burger Landsurveyors, Worthington, Iowa, 855-2028

GRANT OF RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That in consideration of One ($1.00) dollar and other good and valuable consideration paid to ~~husband and wife~~ Allan Leo Ertl and Susan L. Steffen-Ertl hereinafter referred to as the Grantor by ~~husband and wife~~ Allan Leo Ertl and Susan L. Steffen-Ertl hereinafter referred to as the Grantees, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell, transfer and convey unto the Grantees, its successors and assigns, a perpetual easement with the right to use, operate, inspect, repair, maintain, and replace a water service line, and other necessary appurtenance , across and through the land of the Grantor, situated in Delaware County, State of Iowa, said land being described as follows:

Lot Seven (7), Block 1 of Sunset Heights #1 , Parcel C, Part of Lot 1 of Joe Ertl Farm and Lot 4 of Sunset Heights #2 all in Section Twenty-five (25) , Township Eighty-nine North (T89N), Range Three West (R3W) of the Fifth Principal Meridian, Delaware County, Iowa

The Proposed water service easement shall be 6 feet wide centered on the following described line (See Exhibit A Sheet 2 of 2):
Beginning at the Southeast corner of Lot 7, Block 1 of Sunset Heights #1 as recorded in the Office of the Delaware County Recorder Book 7, Page 90;

Thence North 00° 06' 55" East 110.00 feet along the East line and to the Northeast corner of said Lot 7

Thence North 52° 20' 27" East 153.41 feet to the South line of Parcel H as recorded in the Office of the Delaware County Recorder Book 7 , Page 149

The consideration recited above shall constitute payment in full for any damages to the land of the Grantor, the estate's successors assigns and heirs, by reason of the installation, operation, and maintenance of the structures or improvements herein referred to .

The Grantee covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the Grantor , the successors and assigns . The provisions of this easement shall constitute a covenant running with the land for the benefit of the Grantee, its successors and assigns.

Dated this 28th day of October, 1997

Allan Leo Ertl
By Allan Leo Ertl, Grantor

Allan Leo Ertl
By Allan Leo Ertl, Grantee

Susan L Steffen-Ertl
By Susan L. Steffen-Ertl, Grantor

Susan L Steffen-Ertl
By Susan L. Steffen-Ertl, Grantee

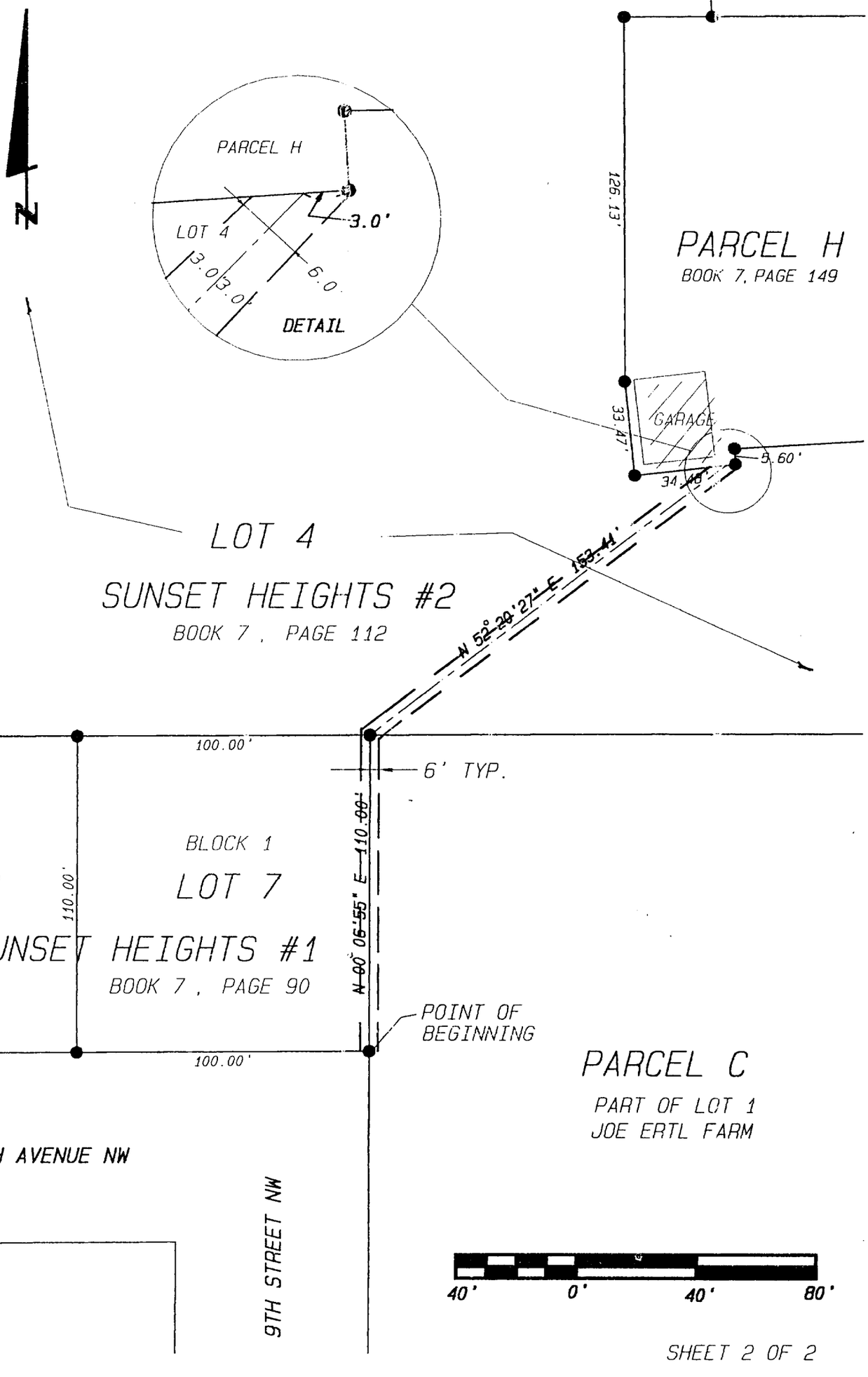
STATE OF IOWA
COUNTY OF DUBUQUE

On this 28th day of October A. D. 19 97 before me a Notary Public in and for said County, personally appeared Allan Leo Ertl and Susan L. Steffen-Ertl, husband and wife to me known to be the person or persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Donna Gibbs
Notary Public in and for said County

DONNA GIBBS
MY COMMISSION EXPIRES
OCTOBER 4, 1998

EXHIBIT A



SHEET 2 OF 2