DELAWARE COUNTY IOWA
FILED
2002 MY 22 PM 2:41
BOOK 2002
DEBORAH L. HILTON
DELAWARE COUNTY RECORDER
Rec. $ 9.00
1960

(X) William D. Werger 401 East Main Manchester (319) 927-5920
Preparer Information

RIGHT-OF-WAY EASEMENT

In consideration of One Dollar ($1.00) and other valuable consideration paid to **Irvin J. McDowell and Dixie L. McDowell, husband and wife,** hereinafter referred to as **Grantor**, the **City of Masonville**, herein after referred to as **Grantee,** the receipt of which is hereby acknowledged, the **Grantor** does hereby grant, bargain, sell, transfer, and convey unto the **Grantee**, its successor and assigns, a perpetual easement with the right to erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove sanitary sewer lines, apparatus, structures and an access road for a lagoon site for the Masonville city sewer system over, across and through the land of **Grantor** in Delaware County, to wit:

Lots Eighteen (18) and Nineteen (19), Stevens Addition to Masonville, Iowa, according to plat recorded in Book 15 L.D., Page 189.

The location of the easement is described and shown on plat of survey recorded February 27, 2002 in Book 2002, Page 713 Delaware County records and includes both a permanent easement and a temporary construction easement.

The consideration hereinbefore recited shall constitute payment in full for any damages to the land of the **Grantor**, his successors and assigns, by reason of the installation, operation and maintenance of the structures or improvements referred to herein. 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**, his successors and assigns.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the **Grantee**, its successors and assigns.

IN WITNESS WHEREOF, the **Grantors** have executed this instrument this 21st day of May 2002.

Irvin J. McDowell

Dixie L. McDowell

State of Iowa,

ss.

Delaware County,

On this 21st day of May 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Irvin J. McDowell and Dixie L. McDowell, husband and wife, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Notary Public

NOTARIAL SEAL IOWA
WILLIAM D. WERGER
COMMISSION NO. 129812
MY COMMISSION EXPIRES
10-6-04