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INDX
ANNO
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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Prepared by Anna Golightly, 815 East Highway 92, Winterset, IA 50273-2300, (515) 462-2961 ext. 3
Return to: Madison County SWCD, 815 East Highway 92, Winterset, IA 50273-2300

EASEMENT (Grantee Responsible for Maintenance) (12/20)

For one dollar (\$1.00) and other valuable consideration received, Ronald and Caroline Grose, 3203 Bittersweet Ave, Macksburg, IA 50155-8025, **Grantor (s)**

Does hereby grant to Alan and Jill Lange, 212 N 15th St, Winterset, IA 50273, **Grantee (s)**, a perpetual easement as described below, upon those parts of the following described land located in Grand River Township, T74N,R29W of the 5th P.M., Madison County, Iowa:

Area shown on the aerial map located in SE 1/4, SW 1/4 Section 19 T74N R29W; and NW 1/4, SW 1/4, SE 1/4 Section 19 T74N R29W, and labeled as EASEMENT AREA.

The Grantor covenants that he/she is the owner in fee simple of the above-described land and that the lands are free and clear of all encumbrances and liens except the following:

The easement granted is perpetual, shall run with the land and shall be binding upon the successors or assigns of both the Grantor and the Grantee. The easement includes the following terms:

1. The Grantee is granted the right to plan, survey, construct, improve, maintain and inspect a dam and auxillary spillway return flow, on the Grantor's property to serve as a grade stabilization structure for gully erosion control on the Grantee's property. The area is shown on the aerial map dated February 9, 2021. The parties understand that the aerial map is not a certified survey; it is attached solely for the purpose of describing the intended project and not as an engineering or land surveying document. Minor changes in the project may be made at the time of construction. For the purposes stated in this easement, Grantee or its authorized agents shall have the right of ingress and egress at any time and at locations as determined by the Grantee upon the above-described land.
2. The Grantee shall be responsible for maintaining the grade Stabilization Structure and auxillary spillway identified in paragraph 1, above, in a state of repair such that it is successfully performing the function for which it was originally constructed or installed.
3. The rights granted by this easement shall terminate at any time when mutually agreed upon by the Grantor and Grantee, provided, however, that such termination occurs no earlier than the expiration or cancellation of any maintenance or performance responsibilities between the Grantee and the Madison SWCD. The parties shall be responsible for written notification to any present tenant or subsequent tenant of the existence of this easement and where a copy of the same may be located.
4. The Grantee is authorized to employ private contractors who shall enjoy the same privileges and rights under this easement as the Grantee. In accordance with an agreement between the United States and the Grantee, the United States and the Madison SWCD shall enjoy all of the rights and privileges of the Grantee under this easement.
5. The undersigned hereby states that he or she has been advised of the right, pursuant to 7 C.F.R. Part 21, to receive an offer of just compensation based on an appraisal of the real property subject to the easement they are donating for the above referenced project. The undersigned further states that he or she understands these rights and knowingly waives the right to receive an offer of just compensation based on an appraisal.

Words used in this easement including the acknowledgment below shall be read as plural or singular and as masculine, feminine or neuter as required by the context.

Ronald Grose 6/25/21

 Signature of Grantor, Ronald Grose Date

Caroline Grose 6/25/21

 Signature of Grantor, Caroline Grose Date

Alan Lange 6/25/2021

 Signature of Grantee, Alan Lange Date

Jill Lange 6/25/2021

 Signature of Grantee, Jill Lange Date

STATE OF Iowa
COUNTY OF Madison
This instrument was acknowledged before me on the 25 day of June, 2021, by Ronald and Caroline Grose

Barbara A McVay

 Notary Public in and for the State of Iowa
 Seal

STATE OF Iowa
COUNTY OF Madison
This instrument was acknowledged before me on the 25 day of June, 2021, by Alan & Jill Lange.

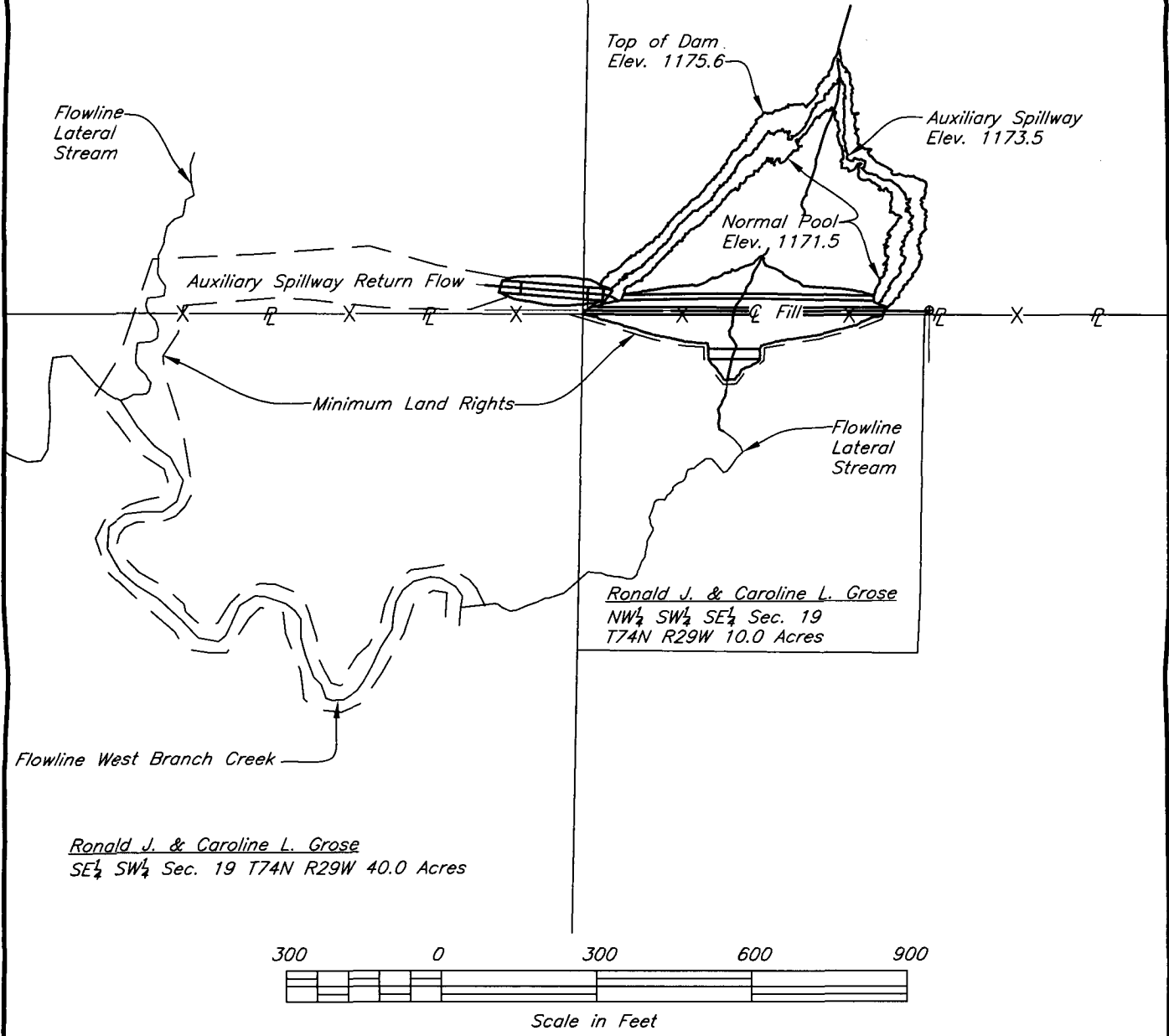
Barbara A McVay

 Notary Public in and for the State of Iowa
 Seal

Center of
Section 19
T74N R29W



EASEMENT AREA		
Tract	Approximate Area (acres)	
	Auxiliary Spillway Return Flow	Back Slope Dam
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19	2.25	0.00
NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19	0.0	0.75



Ronald J. & Caroline L. Grose
SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 19 T74N R29W 40.0 Acres

Ronald J. & Caroline L. Grose
NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19
T74N R29W 10.0 Acres

REAL PROPERTY WORK MAP
ALAN & JILL LANGE
Grade Stabilization Structure