



Document 2022 2355

Book 2022 Page 2355 Type 06 001 Pages 1

Date 8/08/2022 Time 12:49:39PM

Rec Amt \$7.00

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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

THIS DOCUMENT PREPARED BY: Sarah Hansen, Warren Water District, 1204 E. 2nd Ave. Indianola, IA 50125 515-962-1200  
RETURN TO: Terry Krapfl, Box 215, Indianola, IA 50125, 515-961-2574

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

**Hilsabeck Farms, LLC,**

hereinafter referred to as GRANTORS, in consideration of One Dollar and Other Valuable consideration, hereby grant and convey unto Warren Water District, hereinafter referred to as GRANTEE, its successors and assigns, a perpetual easement with the right, at any time, to erect, construct, install, lay and thereafter use, operate, inspect, repair, maintain, replace and remove one or more water pipelines and appurtenances thereto, over, across and through the land of the GRANTORS situated in Madison County, Iowa, being more specifically described as follows:

Meter Pit Installation for 3356 280<sup>th</sup> Ln. in the NW corner of the property described as:

**The Northeast Quarter (NE¼) of the Northwest Fractional Quarter (NW Fr.¼) of Section One (1), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of the Northwest Fractional Quarter (NW Fr.¼); AND EXCEPT that part of Parcel "F" that lies therein, containing 26.16 acres, as shown in Plat of Survey filed in Book 2012, Page 1039, on April 11, 2012, in the Office of the Recorder of Madison County, Iowa; AND EXCEPT Parcel "D", containing .60 acres, as shown in Plat of Survey filed in Book 2012, Page 1040, on April 11, 2012, in the Office of the Recorder of Madison County, Iowa.**

together with the right of ingress and egress over the adjacent lands of the GRANTORS, their successors and assigns, for the purposes of this Easement.

The easement granted herein shall be 32 feet in width (except for during construction and removal of the water pipelines, the Easement shall be expanded to 50 feet in width), the centerline of which shall be measured from the center point of the first water pipeline and the necessary appurtenances thereto constructed by GRANTEE. In addition, if the easement area, as described herein, does not abut the nearest public road right-of-way, the easement area shall be expanded to extend to the nearest public road right-of-way line.

The Grantor and Grantee agree that no structures, buildings, fences, barricades or any other temporary or permanent obstruction of any kind shall be constructed or placed on any portion of the easement area. Furthermore, the Grantee agrees not to remove any dirt or in any way disrupt the grade over and above the easement area.

It is agreed that crop damage will be paid by the GRANTEE; however, in no case shall GRANTEE be required to pay more than a single, total crop loss in any one crop year. Crop damage will equal the price for the destroyed or damaged crop x yield per acre x acreage damaged or destroyed.

GRANTEE, its successors and assigns, hereby promise to maintain such water pipelines and any necessary appurtenances in good repair so that damage, if any, to the real estate of GRANTORS, will be kept to a minimum.

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 2<sup>ND</sup> day of June, 2022.

Jeffrey J. Hilsabeck

STATE OF IOWA

COUNTY OF Polk : SS

On this 2 day of June, 2022, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Jeffrey J. Hilsabeck to me personally known, who being by me duly sworn, did say that he is the Manager of Hilsabeck Farms, LLC, an Iowa limited liability company, executing the foregoing instrument, that the instrument was signed on behalf of the limited liability company by authority of the limited liability company; and said Manager acknowledged the execution of the instrument to be the voluntary act and deed of the limited liability company, by it and by him voluntarily executed.

NOTARY PUBLIC  
LYNNE ANDERSON  
Commission Number 769673  
My Commission expires  
September 14, 2023