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LISA SMITH, COUNTY RECORDER MADISON COUNTY IOWA

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THIS DOCUMENT PREPARED BY: Lisa Coffman, 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:

Joanne M. Callison, Single Person, an undivided one-half interest and the Estate of Connie Kay Bailey, an undivided onehalf interest

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, lowa, being more specifically described as follows:

The West 40 acres of the Southwest Quarter (SW1/4) of Section Twenty-five (25), Township Seventy-five (75) North, Range Twenty-Eight (28) West of the 5th P.M., Madison County, Iowa.

2094 270th St.

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 \_\_\_\_ day of \_\_\_\_\_, 2022.

Joanne M. Callison

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**STATE OF IOWA, ss:** 

This instrument was acknowledged before me on July \_, 2022 by <u>Joanne M. Callison</u>.

ion Number 79 gust 24, 2022

IN WITNESS WHEREOF, the GRANTORS have executed this instrument this 5th day of July, 2022.
Synr D. Wildin, Co-Executor of the Estate of Connie Kay Bailey
STATE OF IOWA :  : ss  COUNTY OF WARREN :  On this  day of  day of  , 2022 before me, the undersigned an Notary Public, personally appeared Lynn D.  Wildin to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that
she as co-executor of the Estate of Connie Kay Bailey, executed the foregoing instrument as their voluntary act and deed.  INVEE BARBER  My Commission Number 819173  My Commission Expires  White Particles of Connie Kay Bailey, executed the foregoing instrument as their voluntary act and deed.

**NOTARY PUBLIC** 

IN WITNESS WHEREOF, the GRANTORS have executed this instrument this
Clan Utsler, Co-Executor of the Estate of Connie Kay Bailey
STATE OF IOWA : : ss COUNTY OF WARREN :
On this 11 day of July, 2022 before me, the undersigned an Notary Public, personally appeared Alan Utsler to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he as co-executor of the Estate of Connie Kay Bailey, executed the foregoing instrument as their voluntary act and deed.
MICHAELA A. LLOYD Commission Number 825789 MY COMMISSION EXPIRES LO-110-23

NOTARY PUBLIC

IN WITNESS WHEREOF, the GRANTORS have executed this instrument this 11 day of 1, 2022.
Julie Wilson, Co-Executor of the Estate of Connie Kay Bailey
STATE OF IOWA : : ss COUNTY OF WARREN :
On this 11 day of 2uly, 2022 before me, the undersigned an Notary Public, personally appeared <u>Julie Wilson</u> to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that she as co-executor of the <u>Estate of Connie Kay Bailey</u> , executed the foregoing instrument as their voluntary act and deed.
Jahn Heft
NOTARY PUBLIC

PATRICIA HARRINGTON
Commission Number
838189
Bly Commission Supplies
AND COLD 15, 2025