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Book 2024 Page 2641 Type 06 001 Pages 4

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BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

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MUNICIPAL UTILITY EASEMENT

Recorder's Cover Sheet

Preparer Information: (name, address and phone number)

Jane E. Rosien, 114 E. Jefferson Street, P.O. Box 67, Winterset, IA 50273-0067
(515) 462-4912

Taxpayer Information: (name and complete address)

Dennis Daggett and Cynthia Daggett, 2253 Carver Road, Winterset, IA 50273

Return Document To: (name and complete address)

Jane E. Rosien, P.O. Box 67, Winterset, IA 50273-0067

Grantors:

Dennis Daggett
Cynthia Daggett

Grantees:

City of Winterset, Iowa

Legal Description: See Page 2

Document or instrument number of previously recorded documents: N/A

MUNICIPAL UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENCE:

The undersigned owners, Dennis Daggett and Cynthia Daggett, a Married Couple, hereafter called the Grantors, do hereby grant to the City of Winterset, Iowa, hereafter called the Grantee, the perpetual right and easement to construct, install, repair, maintain, operate, inspect, patrol and remove municipal utilities including the equipment and accessories for the same and all necessary appurtenances and the right of ingress and egress as may be reasonably necessary for the convenient construction, repair, maintenance, operation, inspection, patrolling, replacement and removal of the municipal utilities over, along, across and under the following described property situated in Madison County, Iowa, to-wit:

The East Fifteen Feet (15') of the North Eight Feet (8') of Lot Six (6) in Block Twenty-five (25) of the Original Town of Winterset, Madison County, Iowa.

The Grantors warrant and covenant to the Grantee that, subject to liens and encumbrances of record at the date of this Easement, they are the owners of the above-described land and have full right and authority to validly grant this Easement and the Grantee may quietly enjoy its estate in the premises.

Grantee is given the right to trim, cut and clear away any trees, limbs and brush, whether located on the above-described easement property, or adjacent to or overhanging the same, and the right to remove from the above-described easement property any obstruction, including inflammable materials, brush, structures of any kind or other obstructions wherever in its judgment such will interfere with or endanger the construction, operation or maintenance of the municipal utilities; and to renew, replace, and to otherwise change the municipal utilities or any part thereof and all appurtenances thereto and the location thereof within the easement property; and to pass along the easement property.

In consideration of such grant, Grantee agrees it will restore to grade the real estate, reseed and repair any damage which may be caused to this real estate by the construction, operation, maintenance, inspection, patrolling, repairing, replacement or removal of the municipal utilities.

The Grantors covenant that no act will be permitted within the easement property which is inconsistent with the rights hereby granted; that no buildings or structures or other improvements will be erected upon the easement property; and, that the present grade or ground level thereof will not be changed by excavation or filling. The Grantors, their successors and assigns, shall have no responsibility or liability for any claim, cause of action or demand for any damage to the Grantees's utility improvements from any cause including the acts of the Grantors, their successors and assigns, except for the intentionally wrongful act of the Grantors, their successors and assigns.

This Agreement shall run with the land and bind and inure to the benefit of the heirs, successors and assigns of the parties.

Dated this 29th day of October, 2024.

Grantors:

Grantee: City of Winterset, Iowa

Dennis Daggett
Dennis Daggett

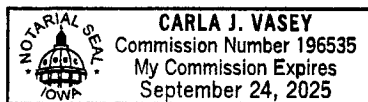
Thomas J. Leners
By: Thomas J. Leners, Mayor

Cynthia Daggett
Cynthia Daggett

Andrew J. Barden
By: Andrew J. Barden, City Administrator

STATE OF IOWA :
: SS
MADISON COUNTY :

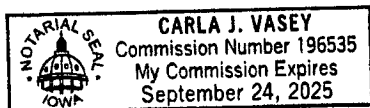
On this 29th day of October, 2024, before me, *Carla J. Vasey*, a Notary Public in and for said State, personally appeared Thomas J. Leners and Andrew J. Barden, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Administrator, respectively, of the City of Winterset, Iowa; that the seal affixed thereto is the seal of said corporation; and that said instrument was signed and sealed on behalf of said corporation by authority of its City Council, as contained in the Resolution adopted by the City Council of the City on the 7th day of October, 2024; and, that Thomas J. Leners and Andrew J. Barden acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.



Carla J. Vasey
Notary Public in and for the State of Iowa

STATE OF IOWA :
: SS
MADISON COUNTY :

On this 24th day of October, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Dennis Daggett to me known to be the identical person named in and who executed the foregoing instrument and acknowledged to me that he executed the same as his voluntary act and deed.



Carla J. Vasey
Notary Public in and for the State of Iowa

STATE OF IOWA :
 : SS
MADISON COUNTY :

On this 24th day of October, 2024, before me, the undersigned, a Notary Public in and for said State, personally appeared Cynthia Daggett to me known to be the identical person named in and who executed the foregoing instrument and acknowledged to me that she executed the same as her voluntary act and deed.



Carla J. Vasey
Notary Public in and for the State of Iowa