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P

M-0054

EASEMENT

REC. \$ 5.00
RANGE \$ 1.00

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KNOW ALL MEN BY THESE PRESENTS:

Scott McConathy and Roseanna McConathy, husband and wife, hereinafter referred to as GRANTORS, in consideration of One Dollar and Other Valuable Consideration, hereby grant and convey unto Warren Water, Inc., hereinafter referred to as GRANTEE, its successors and assigns, a perpetual easement with the right to erect, construct, install, lay and thereafter use, operate, inspect, repair, maintain, replace and remove waterlines and appurtenances thereto, over, across and through the land of the GRANTORS situated in Madison County, Iowa, being more specifically described as follows:

A tract of land commencing at a point 1,930.18 feet West and 44.97 feet South of the E½ corner of Section 12, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa, which point is on the South right-of-way line of Iowa Highway No. 400; thence South 234.30 feet, thence N87°53'W 758 feet to the West line of the SE¼ of said Section 12, thence N7°06'E 203.70 feet to Iowa Highway No. 400 right-of-way, thence N83°16'E 172.63 feet, thence N89°51'E 82.58 feet, thence S81°41'E 49.24 feet, thence Easterly 403.23 feet along a 12431.8 feet radius curve concave Southerly with a 403.17 feet chord bearing S88°49'E, thence S87°53'E 23.50 feet to the point of beginning.

and locally known as: 2446 G-64 Hwy 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 shall be 32 feet in width, the centerline of which shall be the water pipeline and the necessary appurtenances thereto.

It is agreed that, during the period of initial construction, no crop damage will be paid by the GRANTEE. The GRANTEE, its successors and assigns, hereby promise to maintain such water pipeline and any necessary appurtenances in good repair so that damage to adjacent real estate of GRANTORS, if any damage there be, 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 21st day of September, 1995.

[Signature]
Scott McConathy

[Signature]
Roseanna McConathy

Polk COUNTY, ss:

On this 21st day of September, 1995, before me the undersigned, a notary public in and for the state of Iowa appeared Scott McConathy and Roseanna McConathy to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

[Signature]
Notary Public

M-0054

STATE OF IOWA, ss.
MADISON COUNTY,

Incl. No. 933
Book 134 Page 794

Filed for Record this 5 day of October, 1995 at 10:42 AM

Recording Fee \$
Michelle Ustler, Recorder, by Buzzy M. Mills Deputy

