

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Donald P. Noack, Eleanor A. Noack

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 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:

The W 1/2 of the NW 1/4, Section 4, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa EXCEPT

A tract of land in the Northwest Fractional Quarter (NW Fr. 1/4) of the Northwest Quarter (NW 1/4) of Section Four (4), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Northwest Corner of Section Four (4), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa: thence South 00°00'00" 937.44 feet along the west line of the Northwest Quarter (NW 1/4) of said Section Four (4); thence North 88°17'17" East 256.96 feet; thence North 00°53'02" West 331.88 feet; thence South 88°50'40" West 50.81 feet; thence North 00°00'27" East 597.44 feet to the North line of the Northwest Quarter (NW 1/4) of said Section Four (4); thence North 89°34'15" West 201.01 feet to the point of beginning. Said tract of land contains 4.714 Acres including 0.469 Acres of public highway right of way,

Old Portland Rd.

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 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 WHERE OF, the GRANTORS have executed this instrument this 12<sup>th</sup> day of July, 2000.

Donald P. Noack  
Donald P. Noack

Eleanor A. Noack  
Eleanor A. Noack

STATE OF IOWA, ss:

RECS 50  
AUD \$  
P.M.R. \$ 10

COMPUTER   
RECORDED   
COMPARED

On this 12 day of July, 2000, before me the undersigned, a notary public in and for State of Iowa appeared Donald P. Noack, Eleanor A. Noack to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed and same as their voluntary act and deed.

Earl L. Evans  
Notary Public

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MICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA