

Walnut 46

REC \$ 10⁰⁰ AUD \$ 1⁰⁰ R.M.F. \$ 1⁰⁰ COMPUTER RECORDED COMPARED

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David L. Jungmann, P.C., 113 W. Iowa, P.O. Box 329, Greenfield, IA 50849 Phone #515-743-6195 (FHA Approved)

MICKI UTSLER RECORDER MADISON COUNTY, IOWA

LIMITED EASEMENT

RE:

See attached Exhibit "A"

The Undersigned, as Owner (s) of record of the real estate described above, for One Dollar and other good and valuable consideration received, hereby grant(s), sell(s), transfers) and convey(s) to Southern Iowa Rural Water Association (the "Association") , its successors and assigns, an affirmative and perpetual easement in, to, and running with the real estate described above, together with a general and perpetual right of ingress and egress upon such real estate and upon any adjacent lands of Owner(s), LIMITED AS FOLLOWS:

- 1. This easement is solely for the general purposes of construction and laying and there- after using, operating, inspecting, maintaining, repairing, replacing or removing water pipeline and any necessary appurtenances thereto over, across and through the real estate described above; and
2. Once such water pipeline and any necessary appurtenances thereto are installed and operating, then this easement (except the general rights of ingress and egress) shall be automatically reduced in scope to a width of thirty feet, the centerline of which shall be the water pipeline and any necessary appurtenances thereto.

It is agreed that, during the period of initial construction, no crop damage will be paid by the Association. After completion of the project, if repair work on water line is needed, crop damages will. be paid. The Association, 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 Owner(s), if any damage there be, will be kept to a minimum.

Executed this 8 day of June 2000.

X Benjamin Kirk BENJAMIN F. KIRK a/k/a Benjamin Kirk

X Virginia C. Kirk VIRGINIA C. KIRK a/k/a Virginia Kirk GRANTOR(S)

STATE OF IOWA))Ss: COUNTY OF)

On this 8 day of June, 2000, before me, the undersigned, a Notary Public in and for the aforesaid County and State, personally appeared: Benjamin Kirk aka Benjamin F. Kirk and Virginia Kirk, aka Virginia C. Kirk, husband & wife to me known to be the same and identical persons who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



Kathy S. Lee NOTARY PUBLIC IN AND FOR SAID COUNTY AND SAID STATE

Exhibit "A"

A tract of land in the West fractional Half of the Northwest Quarter of Section 30, Township 74 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the Southeast Corner of the NW¹/₄ of Section 30, T74N, R27W of the 5th P.M., Madison County, Iowa; thence North 90°00'00" West 1,313.93 feet along the south line of the NW¹/₄ of said Section 30 to the point of beginning. Thence continuing North 90°00'00" West 1,360.00 feet along said south line; thence North 00°57'00" East 1,100.00 feet; thence North 87°52'02" East 665.02 feet; thence North 00°57'00" East 1,156.26 feet; thence South 88°40'53" East 695.77 feet to the east line of the West fractional Half of the NW¹/₄ of said Section 30; thence South 00°57'00" West 2,265.00 feet along said east line to the point of beginning, and is subject to an ingress-egress easement over and across the South 33.0 feet of the West 305.0 feet thereof. Said tract of land contains 53.263 Acres including 0.813 Acres of County Road Right of Way.
