

FILED NO. 006753

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2000 OCT 30 PM 4:57

NICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA

REC \$ 15<sup>00</sup>  
AUD \$ 1<sup>00</sup>  
R.M.F. \$ 1<sup>00</sup>

COMPUTER   
RECORDED   
COMPARED \_\_\_\_\_

Preparer Information	Nancy Tierney Individual's Name	2398 141 <sup>st</sup> Street Street Address	Bouton, IA City	515-676-2117 Phone
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SPACE ABOVE THIS LINE  
FOR RECORDER

### LIMITED EASEMENT

(FMHA Approved)

No.67729bvdv

RE: Bradley L. Vry and Dana D. Vry

A parcel of land in the Southwest Quarter of the Northwest Quarter of Section six (6), Township 77 North, Range 29 West of the 5<sup>th</sup> Principal Meridian, Madison County, Iowa, more particularly described as:

Commencing at the West Quarter Corner of Section 6, Township 77 North, Range 29 West of the 5<sup>th</sup> P.M., Madison County, Iowa; thence along the west line of the Northwest Quarter of said section on an assumed bearing of North 00°00'00" East a distance of 339.89 feet to the Point of Beginning; thence continuing North 00°00'00" East 321.00 feet; thence along an existing fence, South 89°43'58" East 407.10 feet; thence along an existing fence and its southerly prolongation, South 00°00'24" East 321.00 feet; thence North 89°43'58" West 407.14 feet to the Point of beginning, containing 3.000 acres, more or less, including public highway, and 2.705 acres, more or less, excluding public highway.

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), transfer(s) and convey(s) to Xenia Rural Water District (the "District"), 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, LIMITED AS FOLLOWS:

1. This easement is solely for the general purposes of construction and laying and thereafter 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.

The District, 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. Said pipeline shall be placed within 30 feet from and adjacent to existing road right-of-way; provided, however, that grantee may deviate from said course to avoid natural and/or manmade barriers or obstructions.

The District further agrees:

1. To repair, or pay to repair, any tile lines and fences injured or destroyed during construction and in the course of maintenance thereafter.
2. To pay for any crops damaged or destroyed in the course of maintenance beginning one year from the date of initial construction.
3. As long as there is adequate water available, the Owner or successor Owners of the above described property may, by paying the current membership fee and other associated costs at that time, avail themselves to any number of water service hook-ups.

Executed this 26 day of October, 2000.

Brad L Vry  
Bradley L. Vry

Dana D Vry  
Dana D. Vry

INDIVIDUAL

State of IOWA County of MADISON, ss:

On this 26 day of OCTOBER, 2000, before me, the undersigned Notary Public in and for the aforesaid County and State, personally appeared

Bradley L. Vry

to me known to be the same and identical person(s) who executed the within and foregoing instrument, and acknowledge that they executed the same as their voluntary act and deed.

Randal Royell  
Notary Public in and for said County and State



INDIVIDUAL

State of IOWA County of MADISON, ss:

On this 26 day of OCTOBER, 2000 before me, the undersigned Notary Public in and for the aforesaid County and State, personally appeared

Dana D. Vry

to me known to be the same and identical person(s) who executed the within and foregoing instrument, and acknowledge that they executed the same as their voluntary act and deed.

Randal Royell  
Notary Public in and for said County and State



**NOTICE OF INTENT  
TO ACQUIRE AN EASEMENT**

Xenia Rural Water District is in the process of obtaining easements for the construction and maintenance of a rural water system in your area. This Project is being funded by Federal money and therefore subject to the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended".

It has been USDA Rural Development policy and is the Xenia Board's policy that easements are granted for a payment of \$0.08 per linear foot (\$116.17 per acre for a 30-foot wide easement) or payment for actual crop damage during water line construction.

I have read this notice and I have received and read a copy of "Easement Responsibilities" and "When a Public Agency Acquires Your Property".

X *Don J. Uz*

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Property Owner

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Property Owner