

Walnut 48

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MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

REC \$ 10⁰⁰
AUD \$ _____
R.M.F. \$ 1⁰⁰

COMPUTER ✓
RECORDED ✓
COMPARED _____

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

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 9 day of September 2000.

X [Signature]
JAMES J. DONAHEY

X _____

GRANTOR(S)

STATE OF IOWA)

)Ss:
COUNTY OF MADISON)

On this 16th day of Sept., 2000, before me, the undersigned, a Notary Public in and for the aforesaid County and State, personally appeared: James J. Donahay single
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.



[Signature]
NOTARY PUBLIC IN AND FOR SAID COUNTY AND SAID STATE

Exhibit "A"

All that part of the Northwest Fractional Quarter ($\frac{1}{4}$) of Section Thirty-one (31) which lies South of the right of way of the Chicago, St. Paul & Kansas City Railway Company, and containing 58.5 acres more or less, in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, and all that part of the West Fractional Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Thirty-one (31) which lies North of the right of way conveyed to the Chicago, St. Paul and Kansas City Railway Company, except commencing at the Northeast corner of said tract and running thence West 500 feet, thence South 904.5 feet, thence East 500 feet, thence North 905.32 feet to the point of beginning, all in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa.

A strip of land 100 feet in width extending over and across the West Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) and the Southeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Thirty-one (31), Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, said strip of land being 50 feet in width on each side of the center line of the main track (now removed) of the Chicago, St. Paul and Kansas City Railway Company (later the Chicago, Great Western Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Section Thirty-one (31), AND A strip of land 100 feet in width lying Northerly of and adjoining the above described 100 foot wide strip of land in the South Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Thirty-one (31), and lying Easterly of a line drawn at right angles to said original main track center line at a point thereon distant 850 feet Easterly of the intersection thereof with the West line of said Section Thirty-one (31), AND A strip of land 100 feet in width lying Southerly of and adjoining above described 100 foot wide strip of land in the South Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of said Section Thirty-one (31), and lying Easterly of a line drawn at right angles to said original main track center line at a point thereon distant 850 feet Easterly of the intersection thereof with the West line of said Section Thirty-one (31), subject to roads and highways, if any.