

MICKI UTSLER
RECORDER

This Document Prepared By: Security Abstract & Title Co., Inc., 114 N. 1st Ave., Winterset, Iowa 50273 Telephone: 515-467-1021 FAX: 515-467-1022 WINTERSSET, IOWA

EASEMENT

REC \$ 5⁰⁰
AUD \$ 1⁰⁰
R.M.F. \$ 1⁰⁰

COMPUTER
RECORDED
COMPARED _____

KNOW ALL MEN BY THESE PRESENTS:

Paul F. Cain and Kelly J. Cain

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:

The East Half (1/2) of the Southeast Quarter (1/4) of Section Thirty-four (34), and the West Half (1/2) of the Southwest Quarter (1/4) of Section Thirty-five (35), all in Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, subject to county road right-of-way easements of record; except PARCEL "A" located in the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Thirty-five (35), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows: Beginning at the southeast corner of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of said Section Thirty-five (35); thence on an assumed bearing of North 89°40'27" West along the South line of said Southwest Quarter (1/4) of the Southwest Quarter (1/4) a distance of 687.64 feet; thence North 00°23'25" East 172.26 feet; thence North 43°22'33" East 42.91 feet; thence North 00°41'03" East 455.50 feet; thence South 89°59'03" East 655.42 feet to the east line of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of said Section Thirty-five (35); thence South 00°20'07" West along the East line 662.65 feet to the Southeast corner of said Southwest Quarter (1/4) of the Southwest Quarter (1/4) and the point of beginning. Said excepted tract contains 10.10 acres and is subject to a Madison County Highway Easement over the southerly 0.52 acres thereof, AND EXCEPT, a tract containing 3.45 acres conveyed to Madison County, Iowa, by Warranty Deed recorded in Deed Record 57, Page 521, for road purposes and for use as a public highway

and locally known as: 160th St.
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 5th day of December, 2000.

Paul F. Cain
Paul F. Cain

Kelly J. Cain
Kelly J. Cain

M6-2,253

STATE OF IOWA, MADISON COUNTY, ss:

On this 5th day of December, 2000, before me the undersigned, a notary public in and for the State of Iowa appeared to me Paul F. Cain & Kelly J. Cain 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.

2391 Osage Dr.
Winterset 462-1457

Shari R. Bush
Notary Public

MY COMMISSION EXPIRES 020503