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NICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

THIS DOCUMENT PREPARED BY Claire B. Patin, Attorney at Law, 106 E. Salem, Indianola, Iowa 50125 515-961-2574

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Michael D. Marturello and Karen E. Marturello
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, Iowa, being more specifically described as follows:

Lot Two (2) of North River Subdivision - All of Parcel "D", except for Parcel "G", located in the Southeast Quarter (1/4) of the Southwest Quarter (1/4) and the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Thirty-three (33), 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 Southwest corner of the Southeast Quarter (1/4) of the Southwest Quarter (1/4) of Section Thirty-three (33), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; thence North 89°56'30" East, 495.50 feet along the South line of the Southeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Thirty-three (33) to the Point of Beginning; thence North 0°00'09" West, 1318.65 feet to a point on the North line of the Southeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Thirty-three (33); thence North 89°56'05" East, 819.51 feet along an existing fenceline to the Northeast corner of the Southeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Thirty-three (33); thence North 89°56'57" East, 37.33 feet along an existing fenceline which is the North line of the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of said Section Thirty-three (33); thence South 30°16'11" West, 612.98 feet along an existing fenceline; thence South 0°05'13" West, 789.66 feet along an existing fenceline to a point on the South line of the Southeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Thirty-three (33); thence South 89°56'30" West, 546.60 feet along the South line of the Southeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Thirty-three (33) to the Point of Beginning. Said Parcel contains 18.451 acres, including 0.513 acres of County Road right-of-way,

160th

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 19th day of December, 2000.

Michael Marturello
Michael D. Marturello

Karen E. Marturello
Karen E. Marturello

STATE OF IOWA, ss:

On this 19th day of December, 2000, before me the undersigned, a notary public in and for State of Iowa appeared

Michael D. Marturello and Karen E. Marturello
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.

Mary E. Ostring
Notary Public

