

P.36

000334
FILED NO. _____
BOOK 2001 PAGE 334
2001 JAN 31 AM 11:40

MICHI UTSLER
RECORDER
MADISON COUNTY, IOWA

This Document Prepared By: Security Abstract & Title Co. Inc., 114 N. 1st Ave., Winterset, Iowa 50273 Telephone 515-462-1691

EASEMENT

REC \$ 5⁰⁰
AUD \$ _____
R.M.F. \$ 1⁰⁰

COMPUTER
RECORDED
COMPARED _____

KNOW ALL MEN BY THESE PRESENTS:

Rex R. Shambaugh as Trustee of the Anna Lee Shambaugh Trust dated June 1, 1994, 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 One-half of the Southeast Quarter (E 1/2 SE 1/4) and the Southeast Quarter of the Northeast Quarter (SE 1/4 NE 1/4) of Section 17, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa, EXCEPTING THEREFROM the following parcels of land: Part of the NE 1/4 of the SE 1/4 of Section 17-77-27, Madison County, Iowa, described as follows: Beginning at a point 218 feet West and 195 feet South of the NE corner of said NE 1/4 SE 1/4; thence South 186 feet; thence East 218 feet; more or less to the East line of said NE 1/4 SE 1/4; thence North 381 feet to the NE Corner of said NE 1/4 SE 1/4; thence West along the North line of said NE 1/4 SE 1/4 368 feet; thence South 174 feet; thence SE'ly 150 feet more or less to the point of beginning; and The South 487.9 feet of the East 267.84 feet of the Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4) of Section Seventeen (17), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., in Madison County, Iowa, containing 3.0 acres but subject to local Right of Way,

Old Portland Rd.

and locally known as: _____ 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, ^{P.S.} ~~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 4th day of Jan, 2001.

Ralinda Tonasket (Trustee)
Ralinda Tonasket, Trustee

M6-196

STATE OF IOWA, WARREN COUNTY, ss:

On this 4th day of January, 2001~~xx~~, before me, the undersigned, a Notary Public in and for said State, personally appeared Ralinda Tonasket and _____ as Trustees of the Anna Lee Shambaugh Trust to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they as trustees, executed the foregoing instrument as their voluntary act and deed.



Earl L. Evans
Notary Public