

Lincoln 65

FILED NO. 000632
BOOK 2001 PAGE 632
2001 FEB 23 PM 2:58

REC \$ 15⁰⁰
AUD \$ _____
R.M.F. \$ 1⁰⁰

COMPUTER
RECORDED
COMMENTARY _____

David L. Jungmann, P.C., 113 W. Iowa, P.O. Box 329, Greenfield, IA 50849 Phone #641-743-6195
(FHA Approved)

MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

L I M I T E D E A S E M E N T

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), transfer(s) 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 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.

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 11 day of Nov., 2000.

PAMMEL STATE PARK (STATE OF IOWA) BY:

Steve Pennington
(Interim Division Administrator)

Larry Wilson
(Deputy Director)

GRANTOR(S)

STATE OF Iowa)
COUNTY OF Polk) ss:

On this 13 day of November, 2000, before me, the undersigned, a Notary Public in and for the aforesaid County and State, personally appeared:

Steve Pennington Larry Wilson

and acknowledged that they are the Interim Administrator and Deputy Director of the State of Iowa, that they have been duly authorized to execute and deliver this easement as the voluntary act and deed of the State of Iowa.

Carol J. [Signature]
NOTARY PUBLIC IN AND FOR SAID COUNTY AND SAID STATE

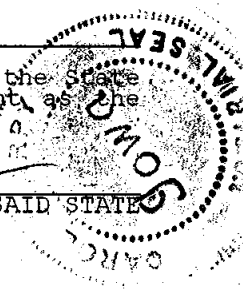


Exhibit "A"

Two (2) acres off the West end of all that part of the South Three-Fourths of the Northwest Quarter of the Northwest Quarter ($S\frac{3}{4}NW\frac{1}{4}NW\frac{1}{4}$) of Section Fifteen (15) lying South and East of Middle River; also, the South East Quarter of the Northeast Quarter ($SE\frac{1}{4}NE\frac{1}{4}$) of Section Sixteen (16); also the following described tracts of land to wit: Commencing at the Southeast corner of the Southwest Quarter of the Northeast Quarter ($SW\frac{1}{4}NE\frac{1}{4}$) of said Section 16, running thence North 56 rods, thence South 69° West, 17 rods, thence South, $37\frac{1}{2}^{\circ}$ West, 32 rods, thence South 29° East, 27.4 rods, thence East 18 rods to the place of beginning, containing 8.81 acres, more or less, except about $\frac{81}{100}$ of an acre on the extreme North end or point of said tract; also, Commencing at the Northeast corner of the Southeast Quarter ($SE\frac{1}{4}$) of said Section 16, running thence West 35 rods, thence Southeast at an angle of 45° , 19 rods and 20 links, thence South 10 rods, thence East 21 rods, thence North 24 rods to the place of beginning, containing $3\frac{3}{4}$ acres, more or less; also, Commencing at a point 35 rods West of the Northeast corner of the Southeast Quarter ($SE\frac{1}{4}$) of said Section 16, running thence West 45 rods, thence South 26 rods, thence East 34 rods, thence South 7 rods to the middle of Middle River, thence with the meanderings of said River to the place of beginning, containing 10 acres, more or less; also, Commencing at a point $26\frac{1}{2}$ rods South of the Northwest corner of the Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$) of said Section 16, running thence South $23\frac{1}{2}$ rods, thence East 34 rods, thence North $23\frac{1}{2}$ rods, thence West 34 rods to the place of beginning, containing 5 acres, more or less; also, Commencing at a point 24 rods South of the Northeast corner of the Southeast Quarter ($SE\frac{1}{4}$) of said Section 16, running thence South 11 rods and $4\frac{2}{3}$ links, thence West 40 rods, thence North to Middle River, thence Northeasterly along said River to a point 24 rods South of the North line of said Southeast Quarter ($SE\frac{1}{4}$) of said Section 16, thence East to the place of beginning; all of said land being in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

Beginning at a point 941.88 feet North of the Southwest corner of Section Fifteen (15) in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and running thence North 1,020.61 feet to the Southwest corner of the North Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of said Section, thence East 200.77 feet, thence South, $1^{\circ}22'$ West, 901.61 feet, thence South $56^{\circ}22'$ West, 215.31 feet to the place of beginning, containing 4.18 acres, more or less.

Beginning at a point on the park line 600.8' East of the NW Corner of $SW\frac{1}{4}$ of $NW\frac{1}{4}$ of $SW\frac{1}{4}$ Section 15, Township 75 North, Range 28 West of the 5th P.M., Madison County, Iowa; thence 400' west along the East and West park line to the present north and south park line; thence 901.6' south along the park line to the P.I. of the curve on the park road survey, Station 83 plus 60.7; thence N. 49° E 532.3'; thence 550.4' North to the point of beginning, to contain $6\frac{2}{3}$ acres more or less.

That part of the Southwest Quarter of the Northwest Quarter of Section 15, Township 75, Range 28, lying and being South and West of the center of the main channel of Middle River; and the North Half of the Northwest Quarter of the Southwest Quarter, all in Section Fifteen (15); and the following described tract, to-wit: Commencing at the Southeast corner of Section Sixteen (16), thence North 24 rods, thence West 40 rods, thence South 24 rods, thence East 40 rods to the place of beginning, being all that part of the South 24 rods of the Southeast Quarter of the Southeast Quarter of Section 16 lying East of the center of the main channel of Middle River; all of said land being in Township Seventy-five North, Range Twenty-eight West of the 5th P.M., Madison County, Iowa, containing 30 acres more or less.

All that part of the Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Sixteen (16) in Township Seventy-five (75) North, of Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, located

and lying East of the Public Highway which begins at a point 20 rods West of the Southeast corner of said Forty acre tract, and thence runs in a Northwesterly direction to a point Forty (40) rods West of the Northeast corner of said Forty (40) acre tract; being a tract off of the East side of said Forty (40) acre tract Twenty (20) rods wide at the South end and Forty (40) rods wide at the North end.

The South 35 acres of the Southeast Quarter of the Southeast Quarter of Section Sixteen (16), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except the two following described tracts of land, to-wit: Commencing at the Southeast corner of said Section 16, running thence North 24 rods, thence West 40 rods, thence South 24 rods, thence East 40 rods to the place of beginning, containing 6 acres; Also except commencing at the southwest corner of said Southeast Quarter of the Southeast Quarter of said Section 16, running thence on the Section line, South 89° 59' East, 471.4 feet, thence North, 10° 46' East, 511.8 feet, thence North 7° 14' West, 500 feet, thence North 0° 58' West, 145.2 feet to the North line of said 35 acre tract, thence South 89° 56' West, 497.9 feet to the Northwest corner of said 35 acre tract, thence on the West line of said 35 acre tract South, 0° 11' West, 1,143.2 feet to the place of beginning, containing 13.94 acres more or less, the intention being to hereby convey all that part of said 35 acre tract which lies East of the West bank of Middle River (except said 6 acres above describe) and containing 15.06 acres, more or less, according to the U.S. Government Survey.

The Southwest Quarter (¼) of the Southeast Quarter (¼) of Section Sixteen (16) in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

The South Thirty (30) acres of the Northwest Quarter (¼) of the Southeast Quarter (¼) of Section Sixteen (16) in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

A tract of land described as follows: Commencing at a point 26 rods South of the Northwest corner of the Northeast Quarter (¼) of the Southeast Quarter (¼) of Section Sixteen (16), in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, running thence South one-half (½) rod, thence East 34 rods, thence North one-half (½) rod, thence West 34 rods to the place of beginning.

Commencing 35 rods 4²/₃ links South of the Northeast corner of the Northeast Quarter (¼) of the Southeast Quarter (¼) of Section Sixteen (16) running thence South 31 rods and 12 links, thence West 48 rods, thence North 31 rods and 12 links, thence East 46 rods to the Place of Beginning, in Township Seventy-five (75) North, of Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

Two acres, commencing 1.35 chains South of the Southeast corner of the Northeast Quarter of the Southeast Quarter of Section 16, in Township 75 North, of Range 28, West of the 5th P.M., Madison County, Iowa, running thence South 4 rods, thence West 80 rods, thence North 4 rods, thence East 80 rods to the Place of Beginning. Also, 7.27 acres commencing at the Northwest corner of the said above described 2 acres, running thence North 8.79 chains, thence East 7.92 chains, thence South, 2¼° East, 4.14 chains, thence South, 8° East, 4.70 chains, thence West 8.65 chains to the Place of Beginning, containing in all 9.27 acres, more or less.

Commencing 1.35 chains South of the Southeast corner of the Northeast Quarter of the Southeast Quarter (NE¼SE¼) of Section Sixteen (16), in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, running thence North 4.54 chains, thence West 12 chains to the center of Middle River, thence South 8° East, 4.50 chains, thence East 11.35 chains to the place of beginning, containing 5.29 acres, more or less.
