

MICHELLE "MICKI" UTSLER, COUNTY RECORDER  
MADISON IOWA

THIS DOCUMENT PREPARED BY: Warren Water District, 1204 E. 2nd Ave. Indianola, IA 50125 515-962-1200

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EASEMENT

KNOW ALL MEN BY THESE PRESENT:

Oscar H. Swanson and Cheri K. Swanson

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 County, Iowa, being more specifically described as follows:

Exhibit "A"

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 7<sup>th</sup> day of September, 2004.

Oscar H. Swanson  
Oscar H. Swanson

Cheri K. Swanson  
Cheri K. Swanson

STATE OF IOWA, ss:

On this 7 day of September, 2004 before me the undersigned, a notary public in and for State of Iowa, appeared Oscar H. Swanson and Cheri K. Swanson 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.

Sheryl Kaye Ballard  
NOTARY PUBLIC



Exhibit "A"

A parcel of land in the South Quarter of the Southwest Quarter of Section 36, Township 76 North, Range 27 West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows:

Commencing at the South Quarter Corner of Section 36, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, thence North  $00^{\circ}00'00''$  185.35 feet along the Quarter Section Line to the point of beginning. Thence continuing North  $00^{\circ}00'00''$  467.00 feet, thence North  $89^{\circ}49'45''$  West 467.00 feet along the north line of the South Quarter of the Southwest Quarter of said Section 36, thence South  $00^{\circ}00'00''$  467.00 feet, thence South  $89^{\circ}49'45''$  East 467.00 feet to the point of beginning. Said parcel contains 5.007 Acres including 0.486 Acres of County Road Right-of-Way.