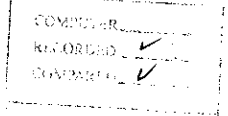


MICHELLE "MICKI" UTSLER, COUNTY RECORDER
MADISON IOWA

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

EASEMENT



KNOW ALL MEN BY THESE PRESENT:

Gary E. Smith

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:

A tract located in the Northwest Quarter (NW1/4), of the Southwest Quarter (SW1/4) of Section Twenty-nine (29), Township Seventy-six (76) North, of Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa described as- commencing at the Northeast corner of Block Five (5) of the original Town of Patterson, Iowa, thence 40 feet North to the North line of the street, thence South 83 degrees 42' West 462 feet to the Southeast corner of parcel thence continuing South 83 degrees 42' West 66 feet, thence North 132 feet, thence North 83 degrees 42' East 66 feet, thence South to the Southeast corner of the parcel, containing 0.20 acres,

505* North 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 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 17 day of September, 2004.

Gary E. Smith
Gary E. Smith

STATE OF IOWA, ss:

On this 17 day of September, 2004 before me the undersigned, a notary public in and for State of Iowa, appeared Gary E. Smith 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.

Lisa Dale
NOTARY PUBLIC

