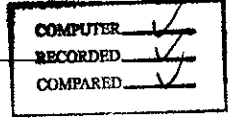


MICHELLE "MICKI" UTSLER, COUNTY RECORDER
MADISON IOWA

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



EASEMENT

KNOW ALL MEN BY THESE PRESENT:

Donald E. Fortney and Jo A. Fortney

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:

Lot Four (4) of Country Estates West located in the Southeast Quarter (¼) and the Southwest Quarter (¼) of Section Three (3), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa

1660 McBride Ridge Ct.

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 12th day of January, 2005

Donald E. Fortney
Donald E. Fortney

Jo A. Fortney
Jo A. Fortney

STATE OF IOWA, ss:

On this 12th day of January, 2005 before me the undersigned, a notary public in and for State of Iowa, appeared Donald E. Fortney and Jo A. Fortney 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.

Erin M. Teme
NOTARY PUBLIC

