

REC \$ 25.00
AUD \$ _____
R.M.F. \$ 7.00

FILED NO. 001078

BOOK 2001 PAGE 1078

2001 MAR 20 PM 3:47

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RECORDED
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NICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

Preparer Information	Debra Pitstick Individual's Name	2398 141 st Street Street Address	Bouton, IA City	515-676-2117 Phone
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SPACE ABOVE THIS LINE
FOR RECORDER

LIMITED EASEMENT

(FMHA Approved)

No. 16,177629dnrt

RE: Barbara G. Kalbach and Steven R. Neal as Co-trustees of the Donnabelle Neal Irrevocable Trust

The South Half of the Northeast Quarter (S 1/2 NE 1/4) and the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Seventeen (17), and the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section Sixteen (16), all in Township Seventy-six (76) North, Range Twenty-nine (29) West of the 5th P.M., Jackson Township, Madison County, Iowa, containing 160 acres, more or less, subject to easements and covenants of record.

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 Xenia Rural Water District (the "District"), 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, 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.

The District, 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. Said pipeline shall be placed within 30 feet from and adjacent to existing road right-of-way; provided, however, that grantee may deviate from said course to avoid natural and/or manmade barriers or obstructions.

The District further agrees:

1. To repair, or pay to repair, any tile lines and fences injured or destroyed during construction and in the course of maintenance thereafter.
2. To pay for any crops damaged or destroyed in the course of maintenance beginning one year from the date of initial construction.
3. As long as there is adequate water available, the Owner or successor Owners of the above described property may, by paying the current membership fee and other associated costs at that time, avail themselves to any number of water service hook-ups.

Executed this 13 day of MARCH, 2001.

Barbara G. Kalbach
Barbara G. Kalbach, trustee

State of Iowa County of Madison, ss:

On this 13th day of MARCH, 2001, before me, the undersigned Notary Public in and for the aforesaid County and State, personally appeared

Barbara G. Kalbach, trustee

to me known to be the same and identical person(s) who executed the within and foregoing instrument, and acknowledged that the person, as the fiduciary, executed the instrument as the voluntary act and deed of the person and of the fiduciary.

Randall Rozell
Notary Public in and for the Said County and State



Steven R. Neal
Steven R. Neal, trustee

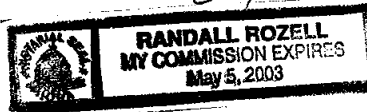
State of Iowa County of Madison, ss:

On this 13 day of MARCH, 2001, before me, the undersigned Notary Public in and for the aforesaid County and State, personally appeared

Steven R. Neal, trustee

to me known to be the same and identical person(s) who executed the within and foregoing instrument, and acknowledged that the person, as the fiduciary, executed the instrument as the voluntary act and deed of the person and of the fiduciary.

Randall Rozell
Notary Public in and for the Said County and State



AFFIDAVIT OF AUTHORITY

The South Half of the Northeast Quarter (S 1/2 NE 1/4) and the Northeast Quarter of the Northeast Quarter (NE 1/4 NE 1/4) of Section Seventeen (17), and the Northwest Quarter of the Southwest Quarter (NW 1/4 SW 1/4) of Section Sixteen (16), all in Township Seventy-six (76) North, Range Twenty-nine (29) West of the 5th P.M., Jackson Township, Madison County, Iowa, containing 160 acres, more or less, subject to easements and covenants of record.

I, Barbara G. Kalbach, being first duly sworn and under oath state of my personal knowledge that:

1. I am the trustee under the trust dated June 1, 1993, to which the above-described real estate was conveyed to the trustee by Donnabelle Neal, pursuant to an File number 536 recorded the 30th day of August 1993, recorded in the office of the Madison County Recorder.
2. I am presently an existing trustee under the trust and am authorized to execute a Limited Easement in favor of Xenia Rural Water District and grant the Limited Easement thereunder, without any limitation or qualification whatsoever.
3. The trust in existence and I as trustee am authorized to transfer the interests in the real estate as described in Paragraph 2, free and clear of any adverse claims.

Barbara G. Kalbach

Barbara G. Kalbach, trustee

Sworn to and subscribed before me by BARBRA G. KALBACH on this 13TH
day of MARCH, 2001

Randall Rozell

Notary Public in and for the State of Iowa



AFFIDAVIT OF AUTHORITY

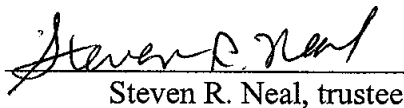
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I, Steven R. Neal, being first duly sworn and under oath state of my personal knowledge that:

1. I am the trustee under the trust dated June 1, 1993, to which the above-described real estate was conveyed to the trustee by Donnabelle Neal, pursuant to an File number 536 recorded the 30th day of August 1993, recorded in the office of the Madison County Recorder.

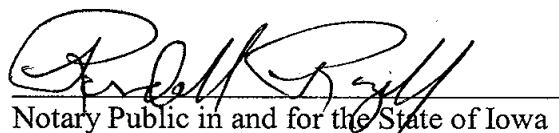
2. I am presently an existing trustee under the trust and am authorized to execute a Limited Easement in favor of Xenia Rural Water District and grant the Limited Easement thereunder, without any limitation or qualification whatsoever.

3. The trust in existence and I as trustee am authorized to transfer the interests in the real estate as described in Paragraph 2, free and clear of any adverse claims.



Steven R. Neal, trustee

Sworn to and subscribed before me by Steven R Neal on this 13th
day of MARCH, 2001



Notary Public in and for the State of Iowa



**NOTICE OF INTENT
TO ACQUIRE AN EASEMENT**

Xenia Rural Water District is in the process of obtaining easements for the construction and maintenance of a rural water system in your area. This Project is being funded by Federal money and therefore subject to the "Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended".

It has been USDA Rural Development policy and is the Xenia Board's policy that easements are granted for a payment of \$0.09 per linear foot (\$130.69 per acre for a 30-foot wide easement).

I have read this notice and I have received and read a copy of "Easement Responsibilities" and "When a Public Agency Acquires Your Property".



Property Owner

Property Owner