

FILED NO. 002441  
BOOK 2001 PAGE 2441  
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REC \$ 10<sup>00</sup>  
AUD \$ 10<sup>00</sup>  
R.M.F. \$ 10<sup>00</sup>

COMPUTER ✓  
RECORDED ✓  
COMPARED ✓

MICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA  
(641) 396-2545

PREPARED BY: CITY OF ST. CHARLES, 113 S. LUMBER STREET, ST. CHARLES, IA 50240 (641) 396-2545

EASEMENT

KNOW ALL MEN BY THESE PRESENCE:

The undersigned owner(s), Fred and Sandra Smith, hereinafter called the Grantor, in consideration of the sum of one dollar and other valuable considerations, hereby grants, sells and conveys unto the City of St. Charles, Iowa, the right, privilege and easement to construct, maintain, and operate public utilities, and for roadway purposes, under, over, and across the following-described property:

North 10 (ten) feet of South property line, 105 (one hundred five) feet from East of lot line of lot Lot 12 of Kephart's Addition II to St. Charles, Iowa, a Subdivision in Madison County, Iowa.

This easement is granted to the Grantee, or its assigns in perpetuity for roadway purposes, and for utility purposes so long as a utilities are operated and maintained on the property, together with rights of ingress and egress for purposes of constructing, inspecting, repairing, maintaining, replacing or removing property of the Grantee on the above-described property and for any other purposes that are lawful and necessary.

Signed this 7 day of June, 2001

Grantor:

Fred L Smith

Grantee: CITY OF ST. CHARLES, IOWA

By Joan Brown  
Joan Brown, Mayor

Sandra J. Smith

By Darla Bush  
Darla Bush, City Clerk

STATE OF IOWA )  
 ) SS  
COUNTY )

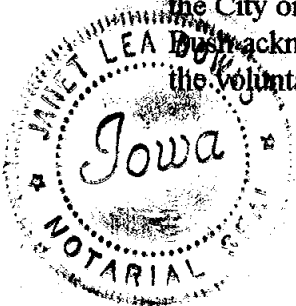
On this 7<sup>th</sup> day of June, A.D., 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared Fred Smith and Sasha Smith to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged to me that they executed the same as their voluntary act and deed.



Darla Bush  
Notary Public in and for said State

STATE OF IOWA )  
 ) SS  
MADISON COUNTY)

On this 11<sup>th</sup> day of June, A.D., 2001, before me, Janet Lea Burns, a Notary Public in and for said County and State, personally appeared Joan Brown and Darla Bush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of St. Charles, Iowa; that the seal affixed thereto is the seal of said corporation; and that said authority of its City Council, as contained in the Resolution adopted by the City Council of the City on the \_\_\_\_\_ day of \_\_\_\_\_, 2001; and that Joan Brown and Darla Bush acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.



Janet Lea Burns  
Notary Public 5-14-02