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R.M.F. \$ 1.00

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MICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA

This document prepared by: Warren Water District, 1204 E. 2nd Ave., Indianola, IA 50125 1-515-962-1200

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Edwin J. Aecla and Benshoof Farms Partnership, hereinafter referred to as GRANTORS, in consideration of One Dollar and Other Valuable Consideration, hereby grant and convey unto Warren Water, Inc., 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:

See Exhibit "A" Attached

and locally known as: Terrace Dr  
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, during the period of initial construction, no 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 WHEREOF, the GRANTORS have executed this instrument this 24<sup>th</sup> day of Jan, 1998.

Edwin J. Aecla

Benshoof Family Trust  
Benshoof Farms Partnership

STATE OF IOWA, COUNTY OF WARREN, ss.

On this 24<sup>th</sup> day of January, 1998, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Ted Benshoof and \_\_\_\_\_, to me personally known, who being by me duly sworn, did say that they are the General Partners of Benshoof Farms Partnership, an Iowa general partnership, executing the foregoing instrument, that the instrument was signed on behalf of the general partnership by authority of the general partnership; and the general partners acknowledged the execution of the instrument to be the voluntary act and deed of the general partnership, by it and by the general partners voluntarily executed.



Peggy N. Crabbs  
Notary Public in and for said State of Iowa

EXHIBIT "A"

The Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) and the South 60 acres of the West Half (W 1/2) of the Northwest Quarter (NW 1/4) of Section Thirty-two (32), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, AND the East Half (E 1/2) of the Southwest Quarter (SW 1/4) and the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-two (32), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa EXCEPT Parcel "A" located in the South 60 acres of the West Half (W 1/2) of the Northwest Quarter (NW 1/4) of Section Thirty-two (32), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows; Beginning at the Southwest corner of the West Half (W 1/2) of the Northwest Quarter (NW 1/4) of Section Thirty-two (32), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa; thence North 00°25'02" East 1992.78 feet to the Northwest corner of said South 60 acres of the West Half (W 1/2) of the Northwest Quarter (NW 1/4); thence North 86°12'31" East 1307.48 feet to the Northeast corner of said South 60 acres of the West Half (W 1/2) of the Northwest Quarter (NW 1/4); thence along the East line of said West Half (W 1/2) of the Northwest Quarter (NW 1/4), South 00°00'00" West 1653.52 feet; thence North 89°44'48" West 53.44 feet to a curve in the centerline of a county road; thence Southwesterly 554.86 feet along said centerline curve, having a radius of 480.00 feet, a central angle of 66°13'52" and a chord bearing South 48°19'21" West 524.48 feet; thence South 08°09'11" East 5.20 feet to the South line of said West Half (W 1/2) of the Northwest Quarter (NW 1/4); thence South 85°17'36" West 877.66 feet to the Point of Beginning; said Parcel "A" contains 58.439 acres, including 2.850 acres of county road right of way; AND EXCEPT Parcel "B" located in the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4), in the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4), and in the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-two (32), Township Seventy-six (76) North Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows; Beginning at the Northwest corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section Thirty-two (32), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa; thence, along the East line of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of said Section Thirty-two (32), North 00°00'00" East 317.06 feet; thence North 89°44'48" West 53.44 feet to the centerline curve of a county road concave Northwesterly; thence Southwesterly 554.86 feet along said curve, having a radius of 480.00 feet, a central angle of 66°13'52" and a chord bearing South 48°19'21" West 524.48 feet; thence South 08°09'11" East 279.56 feet; thence North 87°45'19" East 401.83 feet; thence South 00°47'02" West 391.23 feet; thence North 79°15'43" East 717.20 feet; thence North 00°41'40" West 602.84 feet to the North line of said Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4); thence, along said North line, South 85° West 690.00 feet to the Point of Beginning; said Parcel "B" contains 14.253 acres, including 0.438 acres of county road right of way.