

FILED NO. **004088**

EASEMENT

BOOK **2001** PAGE **4088**

KNOW ALL MEN BY THESE PRESENTS:

REC \$ 10⁰⁰
AUD \$ _____
R.M.F. \$ 100

COMPILED
RECORDED
CONTRACTED

2001 SEP 11 PM 4:20

R. Edward Baur Corporation

MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

Hereinafter referred to as GRANTOR, 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 one waterline and appurtenances thereto, over, across and through the land of the GRANTOR situated in Madison County, Iowa, being more specifically described as follows:

West of and within 60 feet of the centerline of that road running from the East Quarter Corner of Section 27, Township 77 North, Range 27 West of the 5th P.M., Madison county, Iowa, Southerly along the section line to a point where said road runs into Section 34, Section 27, Township 77 North, Ragne 27 West of the 5th P.M., Madison County, Iowa

And

South of and within 60 feet of the centerline of said country road of the north 7 acres owned by R. Edward Baur Corporation in the Northeast Quarter of the Northeast Quarter (NE ¼ NE ¼) of Section 2, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa

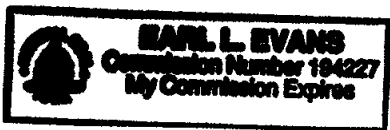
IT IS AGREED that crop damage will be paid by the GRANTEE. The GRANTEE, its successors and assigns, hereby promise to maintain such water pipeline and all lines and any necessary appurtenances in good repair so that damage to adjacent real estate of GRANTOR, if any damage there be, will be kept to a minimum, and any damage shall be paid for by GRANTEE.

IT IS FURTHER AGREED the consumer of water coming from the line located on the above easement shall be assessed the cost of use of said water. Said cost shall not be a lien on said real estate nor shall said cost be assessed to the owner of said real estate unless the owner is also the consumer of said water.

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 GRANTOR has executed this instrument this 1st day of August, 2001.

R EDWARD BAUR CORPORATION



By:

Robert F Baur

CORPORATE ACKNOWLEDGMENT

STATE OF IOWA, ss:

On this 1st day of August, 2000 before me, the undersigned a Notary Public, personally appeared Robert F. Bauw and _____ to me personally known, who being by me duly sworn, did say that they are the President and _____ respectively, of said corporation, that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and that the said Robert F. Bauw and _____ as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Peggy N. Crabbs
NOTARY PUBLIC

