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NICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

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

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

R. Alan Bywaters and Cheryl A. Bywaters

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:

LEGAL DESCRIPTION:

Parcel "H" which is a part of Parcel "G" in the East Half of the Southwest Quarter of the Northwest Quarter of Section 24, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa more particularly described as follows:

Beginning at the Northeast Corner of the Southwest Quarter of the Northwest Quarter of Section 24, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence South 00°19'08" West 329.55 feet along the East line of said Southwest Quarter of the Northwest Quarter; thence South 85°36'06" West 662.75 feet to a point on the West line of Parcel "G"; thence North 00°11'34" East 329.81 feet to the Northwest Corner of Parcel "G"; thence North 85°37'45" East 663.45 feet to the Point of Beginning containing 5.002 acres including 0.457 acres of County Road right-of-way.

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 25th day of January, 2002.

R. Alan Bywaters
R. Alan Bywaters

Cheryl A. Bywaters
Cheryl A. Bywaters

STATE OF IOWA, ss:

On this 25 day of January, 2002, before me the undersigned, a notary public in and for State of Iowa appeared R. Alan Bywaters and Cheryl A. Bywaters to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed and same as their voluntary act and deed.

Patricia E. Miller
Notary Public

