

001829

FILED NO. _____

BOOK 2002 PAGE 1829

2002 APR 17 PM 3:00

MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

REC \$ 15.00
AUD \$ _____
R.M.F. \$ 1.00

COMPUTER
RECORDED
COMPARED

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

EASEMENT

KNOW ALL MEN BY THESE PRESENT:

Madison County

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:

See Attachment "A"

130th St.

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 3 day of December 2001.

MADISON Cy McDonald
Madison County, Cy McDonald

STATE OF IOWA, ss:

On this 3rd day of December 2001 before me the undersigned, a notary public in and for State of Iowa, appeared

Cy McDonald, Chairman, Madison Coys County Board Supervisor the known to be the identical persons named in and who executed the within and foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Kay M. Billeter
NOTARY PUBLIC



Attachment "A"

DESCRIPTION- PARCEL A

That part of the Southeast Quarter of Section 16, Township 77 North, Range 27 West of the Fifth Principal Meridian, Madison County, Iowa, described as follows:

Commencing at the southeast corner of the Southeast Quarter of said Section 16; thence on an assumed bearing of South 90 degrees 00 minutes 00 seconds West along the south line of said Southeast Quarter a distance of 330.00 feet to the point of beginning;

thence North 00 degrees 00 minutes 00 seconds West 165.00 feet;

thence South 90 degrees 00 minutes 00 seconds West 330.00 feet;

thence South 00 degrees 00 minutes 00 seconds East 165.00 feet to the south line of the Southeast Quarter of said section 16;

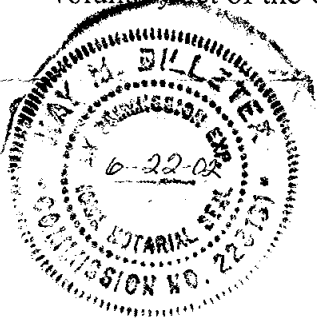
thence North 90 degrees 00 minutes 00 seconds East along said south line a distance of 330.00 feet to the point of beginning.

Said tract contains 1.25 acres and is subject to Madison County Highway Easement over the southerly 0.25 acres thereof.

NOTE: Description of Parcel A based on Quit Claim Deed, dated July 11, 1962 from Henry C. Wishmier to the Jefferson Twp. Trustees, Recorded Book 91, Page 582, Madison County, Iowa, Recorder's Office.

STATE OF IOWA :
: SS.
COUNTY OF MADISON :

On this 3rd day of December, 2002, before me, the undersigned, a Notary Public in the State of Iowa personally appeared Cy McDonald, to me personally known, who being by me duly sworn, did say that he is the Chairman Madison County Board of Supervisors of the County of Madison which executed the foregoing instrument, that the instrument was signed on behalf of the County by authority of its Board of Supervisors; that he as such officer acknowledged the execution of the instrument to be the voluntary act of the County.



Kay M. Billiter
Notary Public

NOTARY PUBLIC

NOTARY PUBLIC

NOTARY PUBLIC

NOTARY PUBLIC

NOTARY PUBLIC