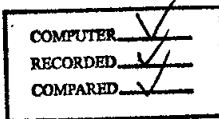


REC \$ 10⁰⁰
AUD \$ 10⁰⁰
R.M.F. \$ 10⁰⁰



004468
FILED NO. _____
BOOK 2002 PAGE 4468
2002 SEP 11 PM 3: 29

MUNICIPAL UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENCE:

The undersigned owners, Don & Charlotte Rasmussen :

MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

Hereafter called the Grantor, in consideration of the sum of one dollar and other valuable considerations, receipt of which is acknowledged, does hereby grant to the City of Winterset, Iowa, hereafter called the Grantee, the perpetual right and easement to construct, install, repair, maintain, operate, inspect, patrol and remove municipal and electrical utilities including equipment and accessories for the same and all necessary appurtenances as may be reasonable necessary for the convenient construction, repair, maintenance, operation, inspection, patrolling and removal of the utilities over, along, across and under the following described property situated in Madison County, Iowa, to-wit:

PERMANENT EASEMENT: The North 5 feet; and the East 10 feet of the West 182 feet of the following parcel: The North 66 feet of Lot 2 of Hutchings Addition to the City of Winterset, Madison County, Iowa.

The Grantor warrant and covenant to the Grantee that, subject to liens and encumbrances of record a the date of this easement, it is the owner of the above described land and has full right and authority to validly grant this easement, and the Grantee may quietly enjoy its estate in the premises.

Grantee is given the right to trim, cut and clear away any trees, limbs and brush whether located on the above described easement property or adjacent to or overhanging the same, and the right to remove from the above described easement property any obstruction, including inflammable materials, brush, structures of any kind or other obstructions wherever in its judgment such will interfere with or endanger the construction, operation or maintenance of the utilities; and to renew, replace, and to otherwise change the utilities or any part thereof and all appurtenances thereto and the location thereof within the easement property; and to pass along the easement property to and from adjoining lands and to have reasonable access to this property from Grantor's adjoining lands.

In consideration of such grant, Grantee agrees it will repair or pay for any damage which may be caused to crops, fences or other property of the undersigned by the construction, operation, maintenance, inspection, patrolling or removal of this line.

The Grantors covenant that no act will be permitted within the easement property which is inconsistent with the rights hereby granted; that no buildings or structures will be erected upon said property and that the present grade of ground level thereof will not be changed by excavation or filling.

This Agreement shall run with the land and bind and inure to the benefit of the heirs, successors and assigns of the parties.

Dated this 23 day of August, 2002.

Grantor: Don & Charlotte Rasmussen

Grantee: CITY OF WINTERSET, IOWA

By Don Rasmussen
Don Rasmussen

By Jerry Schwertfeger
Jerry Schwertfeger, Mayor

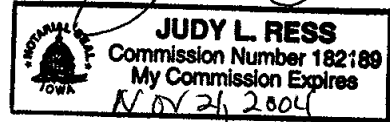
By Charlotte M Rasmussen
Charlotte Rasmussen

By Mark Nitchals
Mark Nitchals, City Administrator

STATE OF IOWA)
) SS
COUNTY)

On this 23rd day of August, 2002 before me, the undersigned, a Notary Public in and for said State, personally appeared Don Rasmussen and Charlotte Rasmussen to me known to be the identical person(s) named in and who executed the foregoing instrument, and acknowledged to me that they executed the same as their voluntary act and deed.

Judy L. Ress
Notary Public in and for said State



STATE OF IOWA)
) SS
MADISON COUNTY)

On this 9th day of September A.D. 2002, before me, Cindy Bush, a Notary Public in and for said County and State, personally appeared Jerry Schwertfeger and Mark Nitchals, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Administrator, respectively, of the City of Winterset, Iowa; that the seal affixed thereto is the seal of said corporation; and that said authority of its City Council, as containing in the Resolution adopted by the City Council of the City on the 9th day of September, 2002; and, that Mark Nitchals and Jerry Schwertfeger acknowledge the execution of the instrument to be their voluntary act and deed and voluntary act and deed of the corporation, by it voluntary executed.

Cindy M. Bush
Notary Public in and for said State

