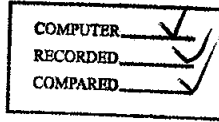


REC \$ 10⁰⁰
AUD \$
R.M.F. \$

005149
FILED NO. _____
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NICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

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

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Michael F. Burgus and Patricia A. Burgus

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 Exhibit A

3201 278th Lane

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.

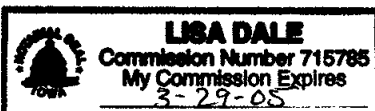
IN WITNESS WHERE OF, the GRANTORS have executed this instrument this _____ day of 10-01, 2002.

Michael F. Burgus
Michael F. Burgus

Patricia A. Burgus
Patricia A. Burgus

STATE OF IOWA, ss:

On this 1 day of October, 2002, before me the undersigned, a notary public in and for State of Iowa appeared to me Michael F. Burgus Patricia A. Burgus, 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.



Lisa Dale
Notary Public

Exhibit A

The South 57 acres of the East Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$) of Section Thirty-four (34), and the West Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Thirty-five (35), all in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., and all that part of the Chicago, Burlington, and Quincy Railroad Company right-of-way located in the West Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) of said Section Thirty-five (35) which abuts and ajoins the above-described real estate; except a tract described as follows: Commencing at a point $14\frac{1}{2}$ rods East of the Northwest corner of the West Half ($\frac{1}{2}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Thirty-five (35), running thence East 26 rods, thence South 21 rods, thence West 26 rods, thence North 21 rods to the place of beginning; and also subject to a right-of-way Forty (40) feet wide commencing at a point 30 rods and 12 feet East of the Northwest corner of the above-described 57-acre tract, thence South Two (2) rods to the road; and also subject to easement for road purposes and public highway containing 5.41 acres, Madison County, Iowa,