

Return To:  
Clare B. Pataki, Inc.  
106 East Salem  
PO Box 215  
Indianola, Iowa  
50015

REC \$ 10<sup>00</sup>  
AUD \$  
R.M.F. \$ 7<sup>00</sup>

001248  
FILED NO. \_\_\_\_\_  
BOOK 2003 PAGE 1248  
2003 MAR -6 PM 1:00

COMPUTER   
RECORDED   
COMPARED

MICKI 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:

M. Newton Construction, Inc.

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:

Part of Parcel B, located in the NE Corner of the NE  $\frac{1}{4}$ , of the SE  $\frac{1}{4}$  of Section 4, Township 75, Range 27, 4.15 Acres in Scott Township, Madison County, Iowa.

2493 225th Trl.

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 9th day of December, 2002.

M. NEWTON CONST., INC.  
Marty Newton, PRES.

M. Newton Construction, Inc.  
Marty Newton - President

STATE OF IOWA, ss:

On this 9 day of December, 2002, before me the undersigned, a notary public in and for State of Iowa appeared to me Marty Newton, 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.

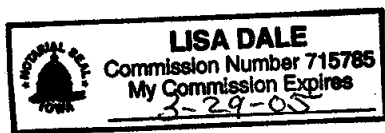
**LISA DALE**  
Commission Number 715785  
My Commission Expires  
3-29-05

Lisa Dale  
Notary Public

CORPORATE ACKNOWLEDGMENT

STATE OF Iowa, ss:

On this 9 day of December 2001 before me, the undersigned a Notary Public, personally appeared Marty Newton 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 president 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.



Lisa Dale  
NOTARY PUBLIC