

REC \$ 5⁰⁰
AUD \$ _____
R.M.F. \$ 1⁰⁰

COMPUTER
RECORDED
COMPARED

MICHAEL UTSLER
RECORDER
PLATTINUM COUNTY, IOWA

This Document Prepared By: Security Abstract & Title Co, Inc., 114 N. 1st Ave., Winterset, Iowa 50273 Telephone: 515-462-1691
Return to: Warren Water, Inc., 1204 E. 2nd St., Indianola, IA 50125 Telephone: 515-962-1200

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Gary D. Byers and Michelle J. Byers, hereinafter referred to as GRANTORS, in consideration of One Dollar and Other Valuable Consideration, hereby grant and convey unto Warren Water, Inc., 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:

Parcel "A", located in the Northeast Quarter of the Southeast Quarter of Section 18, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the East Quarter corner of Section 18, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa; thence South 0°00'00" West along the East line of the Southeast Quarter of said Section 18, 1155.47 feet; thence South 90°00'00" West, 40.00 feet to a point in the West right-of-way (R.O.W.) line of an unpaved County Road; thence North 46°58'38" West 551.92 feet; thence North 0°00'00" East, 777.78 feet to a point on the North line of the Northeast Quarter of the Southeast Quarter of said Section 18; thence North 89°51'20" East along the North line of the Northeast Quarter of the Southeast Quarter of said Section 18, 443.50 feet to the Point of Beginning. Said Parcel contains 10.014 acres, including 1.061 acres of County Road right-of-way,

and locally known as: 1251 Heritage
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, during the period of initial construction, no 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 WHEREOF, the GRANTORS have executed this instrument this _____ day of May 21, 2003.

Gary D. Byers
Gary D. Byers

Michelle J. Byers
Michelle J. Byers

M7-0471

STATE OF IOWA, Warren COUNTY, ss:

On this 21ST day of May, 2003, before me the undersigned, a notary public in and for the State of Iowa appeared to me Gary D. Byers, Michelle J. Byers 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.

NOTARIAL SEAL
PEGGY N. CRABBS
Commission Number 145110
My Commission Expires 2004

Peggy N. Crabbs
Notary Public

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