

FILED NO. **4173**
BOOK **2003** PAGE **4173**
2003 JUL 15 PM 3:02

REC \$ 5.00
AUD \$ 5.00
R.M.F. \$ 5.00

COMPUTER
RECORDED
COMPARED

This Document Prepared By: Security Abstract & Title Co, Inc., 114 N. 1st Ave., Winterset, Iowa 50273 Telephone: 515-462-1601
Return to: Warren Water, Inc., 1204 E. 2nd St., Indianola, IA 50125 Telephone: 515-962-1200
MICKI UTSLER
MADISON COUNTY, IOWA

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Donald D. Miller ~~and Beverly J. Miller~~, 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:

The East Half of the Southeast Quarter of Section Two (2); and the Southwest Quarter of Section One (1) subject to a right of way 15 feet wide off the North side thereof, and a tract commencing at the Southwest corner of the Northwest Quarter of the Southeast Quarter of Section One (1) and running thence North 13.45 chains; thence South 19 degrees 10 minutes East 5 chains; thence South 44 degrees 32 minutes East 5.35 chains; thence South 16 degrees 49 minutes East 5.09 chains to a point 6.86 chains East of the place of beginning; thence West to the place of beginning, containing 4.40 acres more or less, and 15 acres commencing at a point 56 rods West of the Northeast corner of the Southwest Quarter of the Southeast Quarter of Section One (1) and running thence West 24 rods, thence South 80 rods, thence East 36 Rods, thence northwesterly in a straight line to the place of beginning, in Township 76 North, Range 28 West of the 5th PM, Madison County, Iowa,

and locally known as: 9141 N. River School Rd 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 7TH day of JULY, 2003.

Donald D. Miller
Donald D. Miller

DECEASED
Beverly J. Miller

M7-0315

STATE OF IOWA, MADISON COUNTY, ss:

On this 7TH day of JULY, 2003, before me the undersigned, a notary public in and for the State of Iowa appeared to me DONALD D MILLER

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.

Michelle Utsler
Notary Public



P21