

REC \$ 5<sup>00</sup>  
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R.M.F. \$ 1<sup>00</sup>  
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MICKI UTSLER  
RECORDER  
MADISON 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:

Eugene G. Kuhns and Deborah J. Wood, 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 Northwest Quarter of the Southeast Quarter (NW 1/4 SE 1/4) of Section Twenty-two (22), Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, more particularly described as follow: Commencing at the Center of Section 22, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa; thence North 89°51'33" East, 448.62 feet along the North line of the Southeast Quarter of said Section 22 to the Point of Beginning; thence North 89°51'33" East, 747.62 feet along the North line of the Southeast Quarter of said Section 22; thence South 0°00'00" West, 378.73 feet; thence South 89°51'33" West, 747.62 feet, thence North 0°00'00" East, 378.73 feet to the Point of Beginning. Said Parcel contains 6.500 acres, including 0.566 acres of County Road right-of-way.

and locally known as: 1356-135<sup>02</sup>  
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 21<sup>st</sup> day of July, 2003.

Eugene G. Kuhns  
Eugene G. Kuhns

Deborah J. Wood  
Deborah J. Wood

M7-0404

STATE OF IOWA, Warren COUNTY, ss:

On this 21<sup>st</sup> day of July, 2003, before me the undersigned, a notary public in and for the State of Iowa appeared to me Eugene G. Kuhns, Deborah J. Wood 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.

Peggy N. Crabbs  
Notary Public

NOTARIAL SEAL  
PEGGY N. CRABBS  
Commission Number 145110  
My Commission Expires 10-04