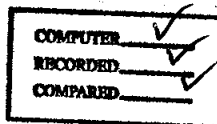


2003 SEP -9 AM 11:35

REC \$ 10⁰⁰
AUD \$ _____
R.M.F. \$ 5⁰⁰



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:

S. James Smith and Linda J. Smith, 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:

See attached Exhibit "A"

and locally known as: 1588 Juniper
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 5th day of August, 2003.

S. James Smith
S. James Smith

Linda J. Smith
Linda J. Smith

S. James Smith

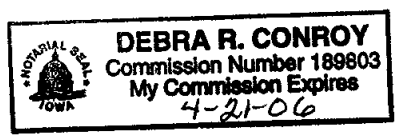
Linda J. Smith

M7-0520

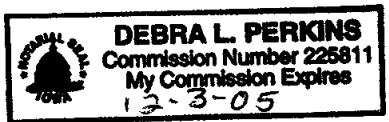
STATE OF IOWA, Madison COUNTY, ss:

On this 5th day of August, 2003, before me the undersigned, a notary public in and for the State of Iowa appeared to me Linda J. Smith

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.



Debra R Conroy
Notary Public



For S. James Smith
Debra L Perkins

Exhibit "A"

(Tract -A)

A tract of land in the Southwest Quarter of the Southwest Quarter of Section 34, Township 77 North, Range 28 West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows: Commencing at the Southwest Corner of Section 34, T77N, R28W of the 5th P.M., Madison County, Iowa; thence North 00°00'00" 422.49 feet along the west line of the Southwest Quarter of said Section 34 to the point of beginning. Thence continuing N. 00°00'00" 275.51 feet along said west line; thence South 89°21'54" East 200.28 feet; thence South 00°49'39" West 275.50 feet; thence North 89°21'48" West 196.30 feet to the point of beginning. ~~Said tract contains 1.25 Acres including 0.21 Acres of County Road Right of Way.~~

(Tract -B)

A tract of land in the Southwest Quarter of the Southwest Quarter of Section 34, Township 77 North, Range 28 West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows: Beginning at the Southwest Corner of Section 34, T77N, R28W of the 5th P.M., Madison County, Iowa; thence North 89°32'06" East 355.39 feet along the south line of the Southwest Quarter of said Section 34; thence North 00°11'00" West 415.68 feet; thence North 89°21'48" West 354.07 feet to the west line of said Southwest Quarter; thence South 00°00'00" 422.49 feet to the point of beginning. Said tract contains 3.41 Acres including 0.18 Acres of County Road Right of Way.