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RECORDER
315-462-1681 IOWA

This Document Prepared By: Security Abstract & Title Co, Inc., 114 N. 1st Ave., Winterset, Iowa 50273 Telephone: 515-462-1681
Return to: Warren Water, Inc., 1204 E. 2nd St., Indianola, IA 50125 Telephone: 515-962-1200

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Barbara Ann Marston,
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 Southwest Fractional Quarter (1/4) of Section Thirty (30) and the North 44.90 acres of the Northwest Fractional Quarter (1/4) of Section Thirty-one (31), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, EXCEPT That part of the Southwest Quarter (1/4) of Section Thirty (30), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the Fifth Principal Meridian, Madison County, Iowa, described as follows: Commencing at the southwest corner of said Section 30; thence on an assumed bearing of North 00°01'27" West along the west line of said Southwest Quarter (1/4) 460.10 feet to the point of beginning; thence continuing North 00°01'27" West along said west line 876.79 feet; thence South 88°13'03" East 438.63 feet; thence South 00°38'51" East 608.80 feet thence South 86°18'31" East 46.91 feet; thence South 00°50'13" East 190.32 feet; thence South 89°15'22" West 184.88 feet; thence South 10°48'24" West 65.65 feet; thence South 88°52'44" West 297.40 feet to the west line of said Southwest Quarter (1/4) and the point of beginning.

and locally known as: Carlham 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 27th day of August, 2003.

Barbara Marston Estate Paul Marston spec.
Barbara Ann Marston

STATE OF IOWA, COUNTY OF Warren ss.

On this 23rd day of September, 2003, before me, the undersigned a Notary Public in and for said State, personally appeared Paul Marston to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that the person, as the fiduciary of the Estate of Barbara Marston, executed the foregoing instrument as the voluntary act and deed of the person and of the fiduciary.

Peggy N. Crabbs
Notary Public

