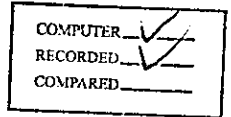


MICHELLE "MICKI" UTSLER, COUNTY RECORDER
MADISON IOWA

✓

Mark Nitchals
City of Winterset
124 W. Court Avenue
Winterset IA 50273



CERTIFICATION

The undersigned, the duly appointed and acting City Administrator of the City of Winterset, Iowa, does hereby certify the following described documents as true and authentic copies of the official records in the custody of the Office of Clerk of the City of Winterset.

1. Resolution on the City of Winterset, Iowa approving easement agreements;
2. Municipal Utility Easement for the following described real estate;

PERMANENT EASEMENT: A 30 foot wide permanent easement for construction and maintenance of a sanitary sewer main across a portion of Parcel "C" a part of Lot 11, Watts & Corkrean Addition, Plat No. 2 the centerline of which is described as follows:

Commencing at the Southwest Corner of Lot 11, Watts & Corkrean Addition, Plat No. 2 City of Winterset, Iowa; thence North 00°50'03" West 418.78 feet along the west line of said Lot 11 to the Easement Point of Beginning; thence South 86°29'02" East 153.13 feet to a point on the West line of the existing easement across Lot 11 which is the end of the easement.

3. Municipal Utility Easement for the following described real estate;

PERMANENT EASEMENT: A 20 feet wide easement the centerline of which is described as commencing at the Southeast corner of Parcel "A" a part of Lot 11, Watts and Corkrean Addition, Plat No. 2, City of Winterset, Madison County, Iowa, thence South 00°50'40" East 55.39 feet along the East line of said Parcel "A" to the point of beginning; thence South 89°09'20" West 210.43 feet to the West line of said Parcel "A" which is the end of the easement.

PERMANENT EASEMENT: A permanent easement for public utilities to the East 16.59 feet of Lot 1, Watts and Corkrean Addition, Plat No. 2, City of Winterset, Madison County, Iowa.

Dated on this 30th day of August 2005, at Winterset, Iowa.



Mark Nitchals
Mark Nitchals, City Administrator

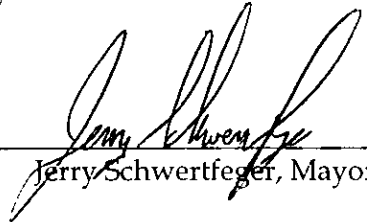
RESOLUTION NO. 2005 - 72

RESOLUTION APPROVING EASEMENT AGREEMENTS

BE IT RESOLVED by the City Council of the City of Winterset, Iowa that two Municipal Utility Easement agreements with Randal L. & Catherine A. Simon are hereby approved.

BE IT FURTHER RESOLVED that the Mayor and City Administrator are hereby authorized to execute these agreements on behalf of the City.

Passed and approved this 20th day of June 2005.



Jerry Schwertfeger, Mayor

Attest:



Mark Nitchals, City Administrator

MUNICIPAL UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENCE:

The undersigned owners, Randall L. & Catherine A. Simon, hereafter called the Grantor, in consideration of the sum of one dollar and other valuable considerations, receipt of which is acknowledged, does hereby grant to the City of Winterset, Iowa, hereafter called the Grantee, the perpetual right and easement to construct, install, repair, maintain, operate, inspect, patrol and remove municipal and electrical utilities including the equipment and accessories for the same and all necessary appurtenances and the right of ingress and egress as may be reasonably necessary for the convenient construction, repair, maintenance, operation, inspection, patrolling, replacement and removal of the utilities over, along, across and under the following described property situated in Madison County, Iowa, to-wit:

PERMANENT EASEMENT: A 20 feet wide easement the centerline of which is described as commencing at the Southeast corner of Parcel "A" a part of Lot 11, Watts and Corkrean Addition, Plat No. 2, City of Winterset, Madison County, Iowa, thence South 00°50'40" East 55.39 feet along the East line of said Parcel "A" to the point of beginning; thence South 89°09'20" West 210.43 feet to the West line of said Parcel "A" which is the end of the easement.

PERMANENT EASEMENT: A permanent easement for public utilities to the East 16.59 feet of Lot 1, Watts and Corkrean Addition, Plat No. 2, , City of Winterset, Madison County, Iowa.

The Grantor warrant and covenant to the Grantee that, subject to liens and encumbrances of record at the date of this easement, it is the owner of the above described land and has full right and authority to validly grant this easement, and the Grantee may quietly enjoy its estate in the premises.

Grantee is given the right to trim, cut and clear away any trees, limbs and brush, whether located on the above described easement property or adjacent to or overhanging the same, and the right to remove from the above described easement property any obstruction, including inflammable materials, brush, structures of any kind or other obstructions wherever in its judgment such will interfere with or endanger the construction, operation or maintenance of the utilities; and to renew, replace, and to otherwise change the utilities or any part thereof and all appurtenances thereto and the location thereof within the easement property; and to pass along the easement property to and from adjoining lands and to have reasonable access to this property from Grantor's adjoining lands.

In consideration of such grant, Grantee agrees it will restore to repair or pay for any damage which may be caused to crops, fences or other property of the undersigned by the construction, operation, maintenance, inspection, patrolling, repairing, replacement or removal of the utilities.

The Grantor covenants that no act will be permitted within the easement property which is inconsistent with the rights hereby granted; that no buildings or structures or other improvements will be erected upon the easement property; and, that the present grade or ground level thereof will not be changed by excavation or filling.

This Agreement shall run with the land and bind and inure to the benefit of the heirs, successors and assigns of the parties.

Dated this 9th day of June, 2005.

Grantor:

Grantee: CITY OF WINTERSET, IOWA

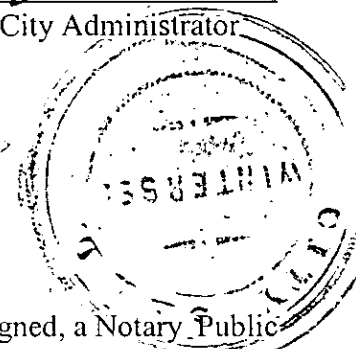
By Randall L. Simon
Randall L. Simon

By Jerry Schwertfeger
Jerry Schwertfeger, Mayor

By Catherine A. Simon
Catherine A. Simon

By Mark Nitchals
Mark Nitchals, City Administrator

STATE OF IOWA :
:SS
MADISON COUNTY :



On this 9th day of June, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Randall L. Simon and Catherine A. Simon, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged to me that he executed the same as his voluntary act and deed.

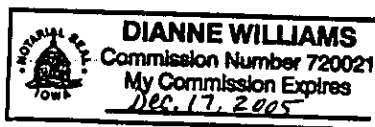


Cindy M. Bush
Notary Public

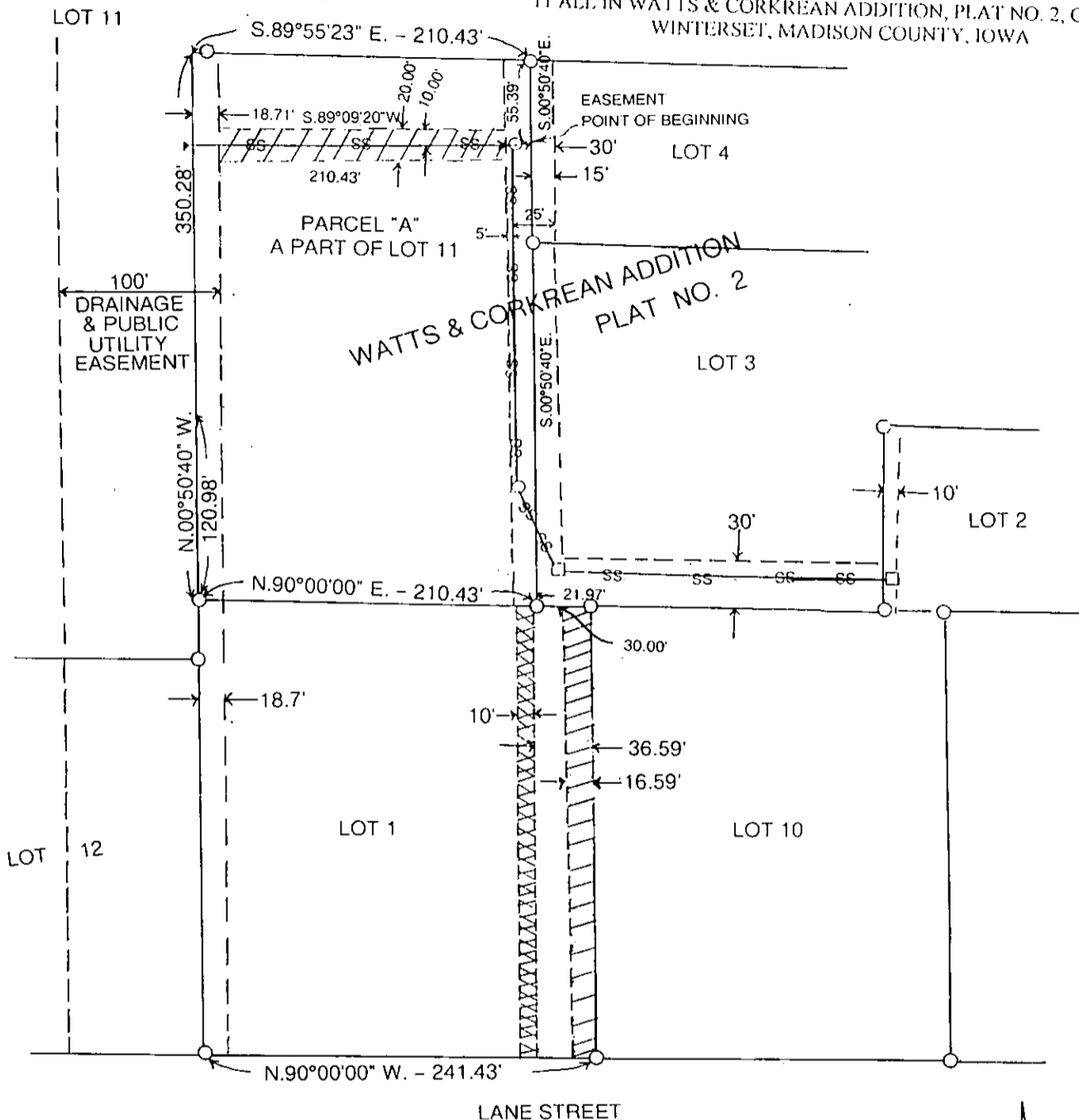
STATE OF IOWA :
:SS
MADISON COUNTY :

On this 20th day of June, 2005, before me, Dianne Williams a Notary Public in and for said County and State, personally appeared Jerry Schwertfeger and Mark Nitchals, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Administrator, respectively, of the City of Winterset, Iowa; that the seal affixed thereto is the seal of said corporation; and that said instrument was signed and sealed on behalf of said corporation by authority of its City Council, as contained in the Resolution adopted by the City Council of the City on the 20th day of June, 2005; and, that Jerry Schwertfeger and Mark Nitchals acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

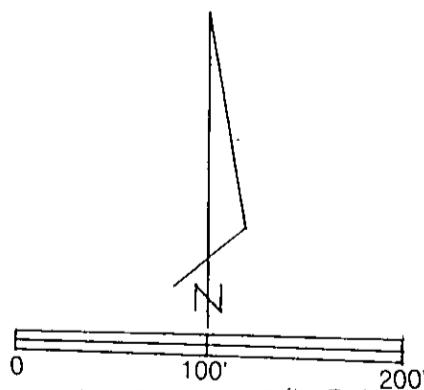
Dianne Williams
Notary Public



PLAT OF AN EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF A STORM SEWER MAIN LOCATED IN LOT 1 AND PARCEL "A" A PART OF LOT 11 ALL IN WATTS & CORKREAN ADDITION, PLAT NO. 2, CITY OF WINTERSET, MADISON COUNTY, IOWA



SEE ATTACHED SHEET FOR LEGAL DESCRIPTION:

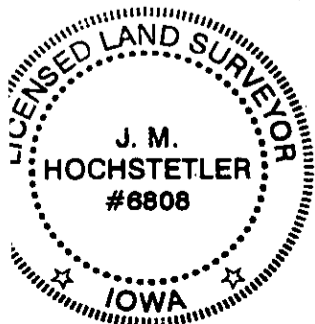


SCALE 1" = 100'

- LOT CORNERS
- SS- PROPOSED STORM SEWER
- - - EASEMENT LIMITS
- ||||| NEW EASEMENT REQUIRED
- XXXXX EXISTING EASEMENT TO BE ABANDONED

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

J.M. Hochstetler
 J.M. HOCHSTETLER
 License number 6808 Date 5/27/05
 My license renewal date is December 31, 2005
 Pages or sheets covered by this seal: 1



MUNICIPAL UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENCE:

The undersigned owners, Randall L. & Catherine A. Simon

Hereafter called the Grantor, in consideration of the sum of one dollar and other valuable considerations, receipt of which is acknowledged, does hereby grant to the City of Winterset, Iowa, hereafter called the Grantee, the perpetual right and easement to construct, install, repair, maintain, operate, inspect, patrol and remove municipal and electrical utilities including equipment and accessories for the same and all necessary appurtenances as may be reasonable necessary for the convenient construction, repair, maintenance, operation, inspection, patrolling and removal of the utilities over, along, across and under the following described property situated in Madison County, Iowa, to-wit:

PERMANENT EASEMENT: A 30 foot wide permanent easement for construction and maintenance of a sanitary sewer main across a portion of Parcel "C" a part of Lot 11, Watts & Corkrean Addition, Plat No. 2 the centerline of which is described as follows:

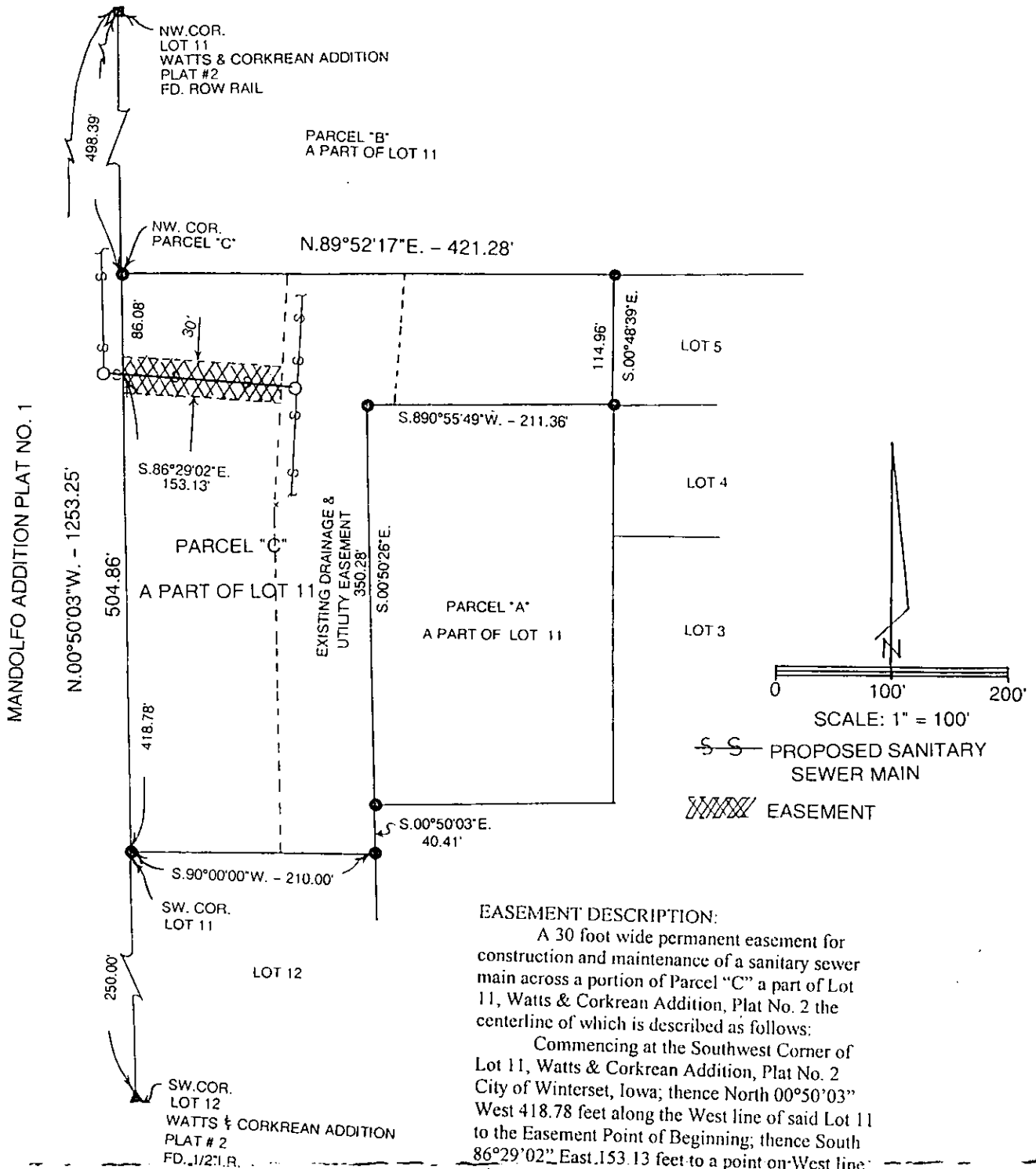
Commencing at the Southwest Corner of Lot 11, Watts & Corkrean Addition, Plat No. 2 City of Winterset, Iowa; thence North 00°50'03" West 418.78 feet along the west line of said Lot 11 to the Easement Point of Beginning; thence South 86°29'02" East 153.13 feet to a point on West line of the existing easement across Lot 11 which is the end of the easement.

The Grantor warrant and covenant to the Grantee that, subject to liens and encumbrances of record a the date of this easement, it is the owner of the above described land and has full right and authority to validly grant this easement, and the Grantee may quietly enjoy its estate in the premises.

Grantee is given the right to trim, cut and clear away any trees, limbs and brush whether located on the above described easement property or adjacent to or overhanging the same, and the right to remove from the above described easement property any obstruction, including inflammable materials, brush, structures of any kind or other obstructions wherever in its judgment such will interfere with or endanger the construction, operation or maintenance of the utilities; and to renew, replace, and to otherwise change the ~~utilities or any part thereof and all appurtenances thereto and the location thereof within the~~ easement property; and to pass along the easement property to and from adjoining lands and to have reasonable access to this property from Grantor's adjoining lands.

VANCE & HOCHSTETLER, P.C. CONSULTING ENGINEERS, WINTERSET, IOWA (515) 462-3995
 CHARLES T. VANCE, 110 WEST GREEN ST., WINTERSET, IOWA 50273
 JAMES M HOCHSTETLER, 110 WEST GREEN ST., WINTERSET, IOWA 50273

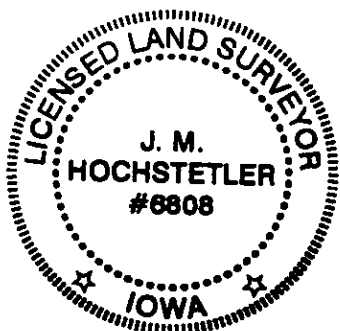
PLAT OF EASEMENT ON PARCEL "C" A PART OF LOT 11,
 WATTS & CORKREAN ADDITION, PLAT NO. 2, CITY OF WINTERSET, IOWA
 OWNED BY RANDALL L. & CATHERINE A. SIMON.



EASEMENT DESCRIPTION:

A 30 foot wide permanent easement for construction and maintenance of a sanitary sewer main across a portion of Parcel "C" a part of Lot 11, Watts & Corkrean Addition, Plat No. 2 the centerline of which is described as follows:

Commencing at the Southwest Corner of Lot 11, Watts & Corkrean Addition, Plat No. 2 City of Winterset, Iowa; thence North 00°50'03" West 418.78 feet along the West line of said Lot 11 to the Easement Point of Beginning; thence South 86°29'02" East 153.13 feet to a point on West line of the existing easement across Lot 11 which is the end of the easement.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

J.M. Hochstetler
 J.M. HOCHSTETLER
 License number 6808 Date 4/12/05
 My license renewal date is December 31, 2005
 Pages or sheets covered by this seal: 1