

✓ Prepared by + Return to: Jane Rosien, P.O. Box 67, Winterset, IA 50223 - 462-4912

EASEMENT

Document 2007 1778

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Date 5/01/2007 Time 2:28 PM

Rec Amt \$27.00

Ione Wight, a single person, Douglas E. Wight, a single person, and Bruce C. Wight and Carolyn Wight, husband and wife, hereinafter called "Grantors" in consideration of One Dollar (\$1.00) and other valuable consideration, do hereby grant to James C. Eller, hereinafter called "Grantee", and to his successors or assigns, the perpetual right and easement of access to the currently existing water well on the following described real estate in Madison County, Iowa, to-wit:

Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section Twenty-eight (28), Township 76 North, Range 28 West of the 5th P.M. Madison County, Iowa.

The easement shall be thirty (30) feet in width and shall commence at the intersection of the current water line and the northwest boundary between the property of the Grantors and the Grantee and shall run thence westerly approximately two hundred (200) feet along and parallel to the currently existing water line and shall run to the currently existing water well located on the Grantors afore-described real estate.

This easement further includes the perpetual and exclusive right to withdraw, transport and use the water from the currently existing well system and the perpetual exclusive right to use, repair and replace the existing equipment for the withdrawal, use and transport of this water. The Grantee, his successors or assigns, shall have the responsibility at their cost for the maintenance and replacement of the existing well system including the water and electrical systems appurtenant thereto. Neither party warrants to the other the quality or quantity of the water from this well system.

Further this easement shall not include the right of the Grantee to fence the easement area other than to fence the currently existing water well head. This easement shall not preclude the installation of any additional water lines or wells by the Grantors and if so installed this easement shall not include the right by the Grantee, his successors or assigns, to the access and use of any water wells or lines installed in the future by the Grantors.

The Grantors warrant and covenant to the Grantee that they are the owners of the real estate upon which said easement area is situated, that said real estate is free and clear of liens and encumbrances; and that they have full right and authority to validly grant this easement, and the Grantee may quietly enjoy its estate in the premises.

Grantors and Grantee covenant that no act will be permitted within the easement area which is inconsistent with the rights hereby granted; and that no buildings or structures will be erected upon said easement area.

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

LISA SMITH, COUNTY RECORDER
MADISON IOWA

IND)]
ANNC
SCAN
CHER

GRANTORS

Ione Wight
Ione Wight

Douglas E. Wight
Douglas E. Wight

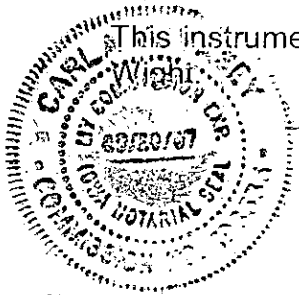
Bruce C. Wight
Bruce C. Wight

Carolyn J. Wight
Carolyn Wight

GRANTEE

James C. Eller
James C. Eller

STATE OF IOWA :
: SS
COUNTY OF MADISON :

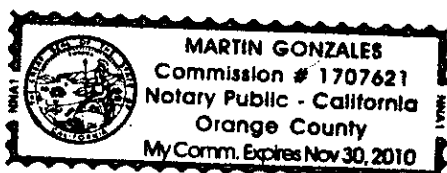


This instrument was acknowledged before me on April 23, 2007, by Ione

Carla J. Vasey
Notary Public

STATE OF CALIFORNIA :
: SS
COUNTY OF Orange :

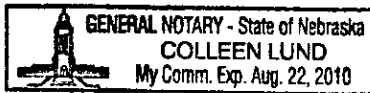
This instrument was acknowledged before me on April 19th, 2007, by Douglas E. Wight.



Martin Gonzales
Notary Public

STATE OF NEBRASKA :
 : SS
COUNTY OF Lancaster :

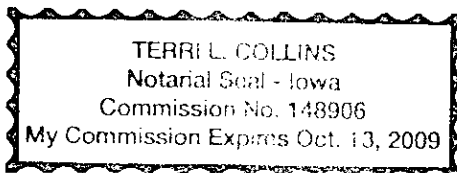
This instrument was acknowledged before me on April 27, 2007, by Bruce Wight and Carolyn Wight.



Colleen Lund
Notary Public

STATE OF IOWA :
 : SS
COUNTY OF MADISON :

This instrument was acknowledged before me on April 30, 2007, by James C. Eller.



Terri L. Collins
Notary Public