

THIS DOCUMENT PREPARED BY:
Richard B. Clogg, Attorney at Law
106 E. Salem Ave., P.O. Box 215
Indianola, Iowa 50125
Telephone: 515-961-2574

REC \$ 5.00
AUD \$ _____
R.M.F. \$ 1.00

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FILED NO: 5432
BOOK 140 PAGE 318
98 JUN 24 AM 10: 53
MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Martin E. McDonald and Diane K. McDonald,
hereinafter referred to as GRANTORS, in consideration of One Dollar and Other Valuable consideration, hereby grant and convey unto Warren Water District, 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:

All that portion of

31-75-27

The Northwest Quarter of the Northeast Quarter of Section Thirty-one (31), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa. EXCEPT Parcel "A" located in the Northwest Quarter (1/4) of the Northeast Quarter (1/4) of Section Thirty-one (31), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the northeast corner of the Northwest Quarter (1/4) of the Northeast Quarter (1/4) of said Section Thirty-one (31); thence on an assumed bearing South 00°00'00" West along the east line of said Northwest Quarter (1/4) of the Northeast Quarter (1/4) a distance of 270.00 feet; thence South 89°25'26" West 800.00 feet; thence North 00°00'00" West 270.00 feet; thence North 89°25'26" East 800.00 feet to the northeast corner of said Northwest Quarter (1/4) of the Northeast Quarter (1/4) and the point of beginning. Said tract contains 4.96 acres and is subject to Madison County Highway Easement over the easterly 0.24 acres thereof.

and locally known as: * 2713 Millstream Ave

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 WHERE OF, the GRANTORS have executed this instrument this 11 day of June, 1998.

Martin E. McDonald
Martin E. McDonald

Diane K. McDonald
Diane K. McDonald

STATE OF IOWA, ss:

On this 11 day of June, 1998, before me, the undersigned, a Notary Public and for the State of Iowa, personally appeared Martin E. McDonald and Diane K. McDonald to me known to be the identical persons named in and who executed the above and foregoing, and acknowledged that they executed the same as their voluntary act and deed.

Shirley Keating
Notary Public

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