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MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

Prepared

by: Leonard M. Flander, 223 East Court, Winterset, IA 50273-0067 (515) 462-4912

EASEMENT

KNOW ALL PEOPLE BY THESE PRESENTS:

FERN ALGOE, SINGLE, BYRLE ALGOE AND BEVERLY ALGOE, husband and wife, SHERRY TOLLEY AND RON TOLLEY, wife and husband, MARILYN SMITH AND NORMAN SMITH, WIFE AND HUSBAND, CONNIE S. MANNY AND JEFF MANNY, WIFE AND HUSBAND, 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:

20-75-27 Commencing at the Northwest corner of the Southeast Quarter (1/4) of Section Twenty-eight (28), in Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., thence South to the South line of the county road right of way which is the point of beginning, thence South 35 feet, thence East to the East line of said Southeast Quarter (1/4), thence North 35 feet, thence West to the point of beginning

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.

It is agreed and understood that the plans for the project disclose that the water line will be placed in the road right of way in the area North and in front of the Grantor's building, house and grove and the Grantee agrees to construct the line in that area according to the existing plans so as to avoid damage to the Grantor's lots, buildings, yard and trees. However, a line from the Grantee's main to service the house and lots will be installed in the area of the easement herein granted.

Grantee agrees to pay for and/or repair damage to any tile or septic system drain lines caused by or resulting from the initial construction.

The GRANTEE agrees to pay for and/or repair any damage to fences and tile lines caused by or resulting from the construction. 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 21st day of May, 1998.

Fern Algae
Fern Algae

Sherry Tolley
Sherry Tolley

Ron Tolley
Ron Tolley

Connie S. Manny
Connie S. Manny

Jeff Manny
Jeff Manny

Byrle D. Algae
Byrle Algae

Beverly Algae
Beverly Algae

Marilyn Smith
Marilyn Smith

Norman Smith
Norman Smith

VM

STATE OF IOWA, MADISON COUNTY, SS:

On this 21st day of May, 1998, before me the undersigned, a notary public in and for the State of Iowa appeared to me Fern Algoe, Byrle Algoe and Beverly Algoe, 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.

[Signature]
Notary Public

STATE OF IOWA, MADISON COUNTY, SS:

On this 21st day of May, 1998, before me the undersigned, a notary public in and for the State of Iowa appeared to me Sherry Tolley and Ron Tolley, 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.

[Signature]
Notary Public

STATE OF IOWA, MADISON COUNTY, SS:

On this 21st day of May, 1998, before me the undersigned, a notary public in and for the State of Iowa appeared to me Connie S. Manny and Jeff Manny, 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.

[Signature]
Notary Public

STATE OF IOWA, MADISON COUNTY, SS:

On this 21st day of May, 1998, before me the undersigned, a notary public in and for the State of Iowa appeared Marilyn Smith and Norman 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.

[Signature]
Notary Public