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This Document Prepared By: Security Abstract & Title Co., Inc., 114 N. 1st Ave., Winterset, Iowa 50273 Telephone: 562-1691

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

James M. Herman and Peggy L. Herman, 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 Northwest Quarter (1/4) of the Southwest Quarter (1/4) and the East Half (1/2) of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) and the West Half (1/2) of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) except a tract described as following: Commencing at the Southeast Corner thereof and running thence North 193 feet, thence West 192 feet, thence in a Southwesterly direction 198 feet to a point 199 feet West of the place of beginning, thence East to the place of beginning, of Section Twenty-nine (29) in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.

and locally known as: 2917-3280h St.  
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~~ <sup>RWH</sup> 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 16th day of October, 1998.

James Herman  
James Herman

Peggy Herman  
Peggy Herman  
*Atty by James Herman*

M3-116

STATE OF IOWA, MADISON COUNTY, ss:  
On this 16th day of October, 1998, before me the undersigned, a notary public in and for the State of Iowa appeared to me JAMES M. Herman and Peggy L. Herman 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.



Rhonda E. White  
Notary Public