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BOOK 140 PAGE 389

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Preparer Information

Richard B. Clogg, 106 E. Salem Ave., Indianola, IA 50125-0215, (515) 961-2574

Individual's Name

Street Address

City

Phone

MICHELLE UTSLER

SPACE ABOVE THIS LINE
IS TO BE USED FOR RECORDING IN IOWA

IN THE MATTER OF THE CONDEMNATION OF
EASEMENT RIGHTS IN AGRICULTURAL LAND
BY WARREN WATER DISTRICT TO
CONSTRUCT, OPERATE AND MAINTAIN
A WATER DISTRIBUTION SYSTEM
IN MADISON COUNTY, IOWA

RE: SERVICE AREA 5

- Parcel No. M5-383A (SE $\frac{1}{4}$ NE $\frac{1}{4}$ 5-74-27)
- Parcel No. M5-383B (NE $\frac{1}{4}$ SE $\frac{1}{4}$ 5-74-27)
- Parcel No. M5-2194A (NE $\frac{1}{4}$ SW $\frac{1}{4}$ 32-75-27)
- Parcel No. M5-2194B (SE $\frac{1}{4}$ SW $\frac{1}{4}$ 32-75-27)
- Parcel No. M5-359 (W $\frac{3}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ 3-74-27)

AFFIDAVIT OF ABANDONMENT OF CONDEMNATION PROCEEDINGS

STATE OF IOWA : ss.

I, The undersigned, being first duly sworn on oath, depose and state that I am attorney for Warren Water District, Applicant in the above-captioned condemnation proceeding and that I make this affidavit upon the direction of and on behalf of the said Applicant.

I further state that an Application by Warren Water District was filed with the Chief Judge of the Fifth Judicial District of Iowa on the 26th day of May, 1998, and on the 29th day of May, 1998, the original Application was filed with the Madison County Recorder in Book 140, Page 276, pursuant to Sections 6B.3(7) and 6B.37 of the Code of Iowa.

I further state that the proceedings to condemn easements for all of the above named Parcels have been abandoned by Warren Water District for the reason that the necessary easements for said Parcels have been obtained from the property owners without a proceeding to condemn the properties. The easements obtained were filed for record on July 14, 1998, in Book 140, Page 348; on July 14, 1998, in Book 140, Page 349; and on July 7, 1998, in Book 140, Page 346, Office of the Recorder of Madison County, Iowa.

Dated this 24th day of September, 1998.

Richard B. Clogg
Richard B. Clogg

Subscribed and sworn to before me by Richard B. Clogg this 24 day of September, 1998.

Renee M. Hunget
Notary Public in and for the State of Iowa

