

REC \$ 15.00
ADD \$ _____
TAX \$ 1.00

FILED NO: 4704
BOOK 141 PAGE 470
99 MAY 20 PH 2: 21
MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

WELL EASEMENT

STATE OF IOWA)
) ss:
COUNTY OF MADISON)

COMPUTER ✓
RECORDED ✓
COMPAID ✓

THIS AGREEMENT is hereby made and executed this 18 day of May, 1999, by and between LYLE DUDNEY AND HELEN L. DUDNEY, Husband and Wife, hereinafter referred to as "GRANTORS," and EDWARD T. JOHNSON, a single person, hereinafter referred to as "GRANTEE."

WITNESSETH:

WHEREAS, the Grantee is the owner of the property described on Exhibit A attached hereto.

WHEREAS, the Grantors are the owners of the following-described property which is adjacent to Grantee's property described above, attached as Exhibit B hereto.

WHEREAS, the Grantee has requested an easement over a portion of the Grantor's property consisting of a water well, and the Grantors have agreed to grant the same to Grantee according to the terms and conditions set forth below.

IT IS HEREBY AGREED by and between the parties for good and valuable consideration as follows:

1. The Grantors reserve to Grantee, his successors, heirs or assigns for all times hereafter the sole and exclusive right to use, for domestic purposes, the water from the existing well located on Grantor's real property approximately 1,075 feet southeast from the southeast corner of the above-described Grantee's real property, with the additional right to enter onto the real property to repair and maintain the well and the pipes leading from the well, whenever such repair and maintenance is necessary.
2. Grantee, his successors, heirs or assigns will fully compensate Grantors, their heirs, successors or assigns, for any damage done to the surface of the real property by reason of such repair and maintenance of the well.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date, year and month appearing above.

Lyle Dudney
LYLE DUDNEY

Helen L. Dudney
HELEN L. DUDNEY

Subscribed and sworn to before me this 18 day of May, 1999.



Toni Marie Tindle
Notary Public in and for the State of Iowa

Edward T. Johnson
EDWARD T. JOHNSON

Subscribed and sworn to before me this 18 day of May, 1999.



Toni Marie Tindle
Notary Public in and for the State of Iowa

EXHIBIT "A"



PARCEL "A", LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 74 NORTH, RANGE 27 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 74 NORTH, RANGE 27 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA; THENCE SOUTH 89 DEGREES 36 MINUTES 57 SECONDS EAST, 479.00 FEET ALONG AN EXISTING FENCELINE WHICH IS THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 20; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST, 455.00 FEET; THENCE NORTH 89 DEGREES 36 MINUTES 57 SECONDS WEST, 479.00 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 20; THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, 455.00 FEET ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 20 TO THE POINT OF BEGINNING.

The Southwest Quarter (1/4) of the Southeast Quarter (1/4) and the Southeast Quarter (1/4) of the Southwest Quarter (1/4) and the North 30 acres of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Twenty (20), and the West Half (1/2) of the Northwest Quarter (1/4) of the Northeast Quarter (1/4) of Section Twenty-nine (29), all in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; EXCEPT, Parcel "A" located in the Southwest Quarter of the Southwest Quarter of Section 20, Township 74 North, Range 27 West of the 5th P.M., Madison County, Iowa; more particularly described as follows:

Beginning at the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 20, Township 74 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence South 89°36'57" East, 479.00 feet along an existing fence line which is the North line of the Southwest Quarter of the Southwest Quarter of said Section 20; thence South 0°00'00" West, 435.00 feet; thence North 89°36'57" West, 479.00 feet to a point on the West line of the Southwest Quarter of the Southwest Quarter of said Section 20; thence North 0°00'00" East, 435.00 feet along the West line of the Southwest Quarter of the Southwest Quarter of said Section 20 to the Point of Beginning. Said Parcel contains 5.003 acres, including 0.446 acres of County Road right-of-way.



EXHIBIT B