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FILED NO. **5186**
BOOK **140** PAGE **699**
99 JUN 18 PM 4: 04

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 \$
L.I.F. \$ **1.00**

EASEMENT

MICHELLE UTSELL
RECORDER
MADISON COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS: JACK SAYRE, BARBARA SAYRE, 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:

Parcel "B" located in the Northwest Quarter (1/4) and the Southwest Quarter (1/4) of Section Three (3), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the southwest corner of the Northwest Quarter (1/4) of said Section 3; thence on an assumed bearing of South 89°51'52" East along the south line of the Northwest Quarter (1/4) of said Section 3 a distance of 1055.96 feet to the point of beginning; thence North 00°00'00" West 1020.35 feet; thence South 88°42'00" East 345.42 feet; thence South 08°40'56" West 74.26 feet; thence South 88°18'57" East 339.46 feet; thence South 00°00'00" East 884.11 feet to the centerline of a Madison County Highway; thence South 81°27'08" West along said centerline 295.98 feet; thence southwesterly 13.28 feet along said centerline and a tangential curve concave to the northwest having a radius of 1170.58 feet, a central angle of 00°39'00" and a chord 13.28 feet in length bearing South 81°46'36" West to the south line of the Northwest Quarter (1/4) of said Section 3; thence southwesterly 166.37 feet along said centerline and tangential curve concave to the northwest having a radius of 1170.58 feet, a central angle of 08°08'35" and a chord 166.23 feet in length bearing South 86°10'26" West; thence North 89°45'16" West along said centerline 201.74 feet; thence North 00°00'00" West 11.10 feet to the south line of the Northwest Quarter (1/4) of said Section 3 and the point of beginning. Said tract contains 15.01 acres and is subject to Madison County Highway Easement over the southerly 0.51 acres thereof.

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 day of 6-7, 1999.

JACK SAYRE
JACK SAYRE

BARBARA SAYRE
BARBARA SAYRE

STATE OF IOWA, ss:

On this 7 day of JUNE, 1999, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared JACK SAYRE, BARBARA SAYRE 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.

JANICE N. MACUMBER
Notary Public



VM