

COMPUTER   
RECORDED   
COMPARED

FILED NO. 5187

BOOK 140 PAGE 700

99 JUN 18 PM 4: 05

REC \$ 5.00

AUD \$

FEES \$ 1.00

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

✓ 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

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Gary L. Smith and Lisa K. Smith

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:

A part of the Southeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Thirteen (13), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described by survey as follows: Beginning as a point of reference at the East Quarter (1/4) Corner of said Section Thirteen (13), thence North 00°41'21" West, along the East line of said Northeast Quarter (1/4), 128.02 feet to the point of beginning, thence North 87°22'00" West, 430.51 feet; thence North 00°41'21" West, parallel to said East line, 504.85 feet; thence South 87°22'00" East, 430.51 feet, thence South 00°41'21" East, 504.85 feet to the point of beginning, containing 4.987 acres more or less including 0.026 acres of road Right-of-Way

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 26 day of May, 1999.

Gary L. Smith  
Gary L. Smith

Lisa K. Smith  
Lisa K. Smith

STATE OF IOWA, ss:

On this 26 day of May, 1999, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Gary L. Smith and Lisa K. Smith 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.



Patricia E. Miller  
Notary Public

VM