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MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

This Document Prepared By: Security Abstract & Title Co. Inc., 114 N. 1st Ave. Winterset, Iowa 50273 Telephone 515-462-1071

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

REC \$ 12.00
AUD \$ _____
R.M.F. \$ 1.00

Merlyn G. Hartz, 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:

See Attached Exhibit "A"

and locally known as: 105th 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, ~~the~~ 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 13 day of July, 1999.

Merlyn G. Hartz
Merlyn G. Hartz

M6-2,217

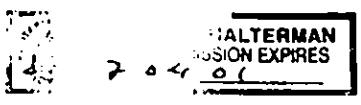
STATE OF IOWA, MADISON COUNTY, ss:

On this 13 day of July, 1999, before me the undersigned, a notary public in and for the State of Iowa appeared to me Merlyn G. Hartz

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.

James R. Halterman
Notary Public

1010 Valley View Ave VM
996-2028



M6-2217

Exhibit "A"

The North 3/4ths of the SE1/4 of Section 4, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa, except a tract described as follows: Commencing at a point 770 feet South of the NW corner of the SE1/4 of Section 4, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence East 180 feet; thence South 1210 feet; thence West 180 feet; thence North 1210 feet to the point of beginning AND The Northeast Fractional Quarter (NE Fr. 1/4) of the Northeast Quarter (NE1/4) of Section Four (4), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, except a strip of land 40 feet in width off the East side thereof; the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4), except a strip 40 feet wide off the East side thereof; and, the West Fractional Half (W Fr. 1/2) of the Northeast Quarter, all in Section Four (4), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, EXCEPT THE FOLLOWING DESCRIBED TRACTS: (1) Commencing at a point 321 feet North of the Southwest corner of the Northeast Quarter (NE1/4) of Section Four (4), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, thence North 87°56' East 258.62 feet, thence North 00°00'300 feet, thence Northwesterly to a point 215 feet East and 921 feet North of said Southwest corner of said Northeast Quarter (NE1/4), thence West 215 feet to the West line of said Northeast Quarter (NE1/4), thence South 00°00'00" 600 feet to the place of beginning; AND, (2) Commencing at the Southwest corner of the Northeast Quarter (NE1/4) of Section Four (4), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, and being the point of beginning, thence North 83°45' East 260.00 feet along the quarter section line, thence North 00°00' 302.00 feet, thence South 87°56' West 258.62 feet to the West line of said Northeast Quarter (NE1/4), thence South 00°00' 321.00 feet to the point of beginning. Said parcel contains 1.85 acres including 0.20 acres of county road right-of-way. (The west line of the Northeast Quarter (NE1/4) of Section Four (4), Township Seventy-seven (77) North, Range Twenty-six (26) is assumed to bear due North and South); AND, The following described real estate: Commencing at the Northwest corner of Section Three (3), Township Seventy-seven (77) North, Range Twenty-six (26) West of the 5th P.M., thence East $231\frac{1}{2}$ feet, thence in a southwesterly direction to a point 660 feet South of the point of beginning, thence North 660 ft. to place of beginning.