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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: 515-462-1691

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Marvin D. Cox  
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" <sup>9-3+4-76-27</sup> <sub>34+35-77-27</sub>

and locally known as: 8517 Cummins Rd.  
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 WHEREOF, the GRANTORS have executed this instrument this 20 day of March, 1998.

Marvin D. Cox  
Marvin D. Cox

M5-2,113A

STATE OF IOWA, MADISON COUNTY, ss:

On this 20 day of March, 1998, before me the undersigned, a notary public in and for the State of Iowa appeared to me Marvin D. Cox

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.

Twila J. Salsburg  
Notary Public

TWILA J. SALSBURG  
MY COMMISSION EXPIRES  
9-13-00

M5-2113A

Exhibit "A"

The Fractional Northwest Quarter (1/4) and the North Half (1/2) of the Southwest Quarter (1/4) and the West Half (1/2) of the Fractional Northwest Quarter (1/4) of the Northeast Quarter (1/4) and all that part of the East Half (1/2) of the Fractional Northwest Quarter (1/4) of the Northeast Quarter (1/4) which lies West and North of North River, all in Section Two (2), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, Except the following described tract: Commencing at the North Quarter Corner of Section Two (2), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., thence North 89°52' E 209.9 feet along the North line of the Northeast Quarter (NE1/4) of Section Two (2), to the Point of Beginning (This is an assumed bearing for the purpose of this description only); thence continuing North 89°52' E 835.8 feet along the north line of the Northeast Quarter (NE1/4) of section Two (2), thence south 0°08' E 104.9 feet, thence North 86°38' W 191.1 feet, thence North 84°43' W 647.4 feet, thence North 0°21' East 32.0 feet to the Point of beginning and containing 1.36 acres more or less.

AND EXCEPT PARCEL H DESCRIBED AS FOLLOWS:

AND

All of Section Three (3), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, Except the following described tract: Commencing at the Southwest Corner of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Three (3), in Township Seventy-six (76) North, of Range Twenty-seven (27) West of the 5th P.M., running thence South 60 rods, thence East 26 rods and 9 feet, thence in a Northeasterly direction to a point 33 rods and 5 feet East of the Southwest corner of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Three (3), thence west to the place of beginning, AND EXCEPT Parcel "H" described as follows: That part of the Southwest Quarter (SW 1/4) of Section Three (3), Township Seventy-six (76) North, Range Twenty-seven (27) West of the Fifth Principal Meridian, Madison County, Iowa, described as follows: Commencing at the southwest corner of said Section Three (3); thence on an assumed bearing of North 00°07'32" East along the west line of the Southwest Quarter (SW 1/4) of said Section Three (3) a distance of 1113.92 feet to the point of beginning; thence North 00°07'32" East along said west line a distance of 535.25 feet; thence South 89°52'28" East 438.00 feet; thence North 06°33'07" East 547.81 feet; thence South 80°34'27" East 877.66 feet; thence South 03°15'11" West 936.15 feet; thence South 90°00'00" West 1314.37 feet to the west line of the Southwest Quarter (SW 1/4) of said Section Three (3) and the point of beginning. Said tract contains 25.98 acres and is subject to a Madison County Highway Easement over the westerly 0.44 acres thereof.

AND The East 20 Acres of the Northeast Fractional Quarter (1/4) of the Northeast Quarter (1/4), and the Southeast Quarter (1/4) of the Northeast (1/4); and the East 5 acres of the Southwest Quarter (1/4) of the Northeast Quarter, all in Section Four (4), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M. Madison County, Iowa, AND

The East Half (1/2) of the Southeast Quarter (1/4), Except a tract commencing 100 feet North of the Southwest corner of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of said Section Thirty-four (34), thence North 13°7' E 129.4 feet, thence North 903 feet, thence curving to the West with a radius of 359.3 ft - 368.5 feet, thence North 59° E 6.5 feet, thence curving to the North with a radius of 287.9 ft - 127.2 ft. to the centerline of the present road on the west line of the NE 1/4 SE1/4 of section 24-77-27; the road to be 60 feet wide from Station 1 to Station 21 + 97.8 and 66 feet wide from Station 21 + 97.8 to Section 27 + 00, also a road 40 feet wide commencing 20 feet East of the Southwest Corner of the NE1/4 SE1/4 to Section 34-77-27, thence East 211 feet to the West line of the new road, containing 3.45 acres and the Southeast Quarter (1/4) of the Southwest Quarter (1/4) and the Southwest Quarter (1/4) of the Southeast Quarter (1/4) and all of the South Half (1/2) of the Northwest Quarter (1/4) lying Westerly of the middle of North Branch of North River, in Section Thirty-four (34), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; except the following described tract: Commencing at the Northwest corner of Section Thirty-four (34), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence South 0°00' West, 1418.55 feet, along the West line of the Northwest Quarter (1/4) of said Section Thirty-four (34), to the point of beginning; thence South 66°26'18" East, 297.49 feet, thence South 0°00' West, 665.04'; thence North 90°00' West 272.69 feet, thence North 0°00' East, 783.96 feet, along the West line of the Northwest Quarter (1/4) of said Section Thirty-four (34); to the point of beginning, subject to highway right of way record

AND.

The West Half (1/2) of the Southwest Quarter (1/4) of section Thirty-five (35), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, All subject to easements of record.