

Mark Schulberg
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515-442-2131

REC \$ 10.00
AUD \$
R.M.F. \$ 1.00

FILED NO. 4231
BOOK 139 PAGE 16
98 APR 29 PM 3:48

This Document Prepared By: Security Abstract & Title Co., Inc., 114 N. 1st Ave., Winterset, Iowa 50273 Telephone: 515-462-1091

EASEMENT

COMPUTER
RECORDED
COMPARED

KNOW ALL MEN BY THESE PRESENTS:

Midwest Rock Products, Inc., an Iowa corporation, 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: Hwy 92
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 13th day of April , 19 98 .

Mark A. Schulberg
Midwest Rock Products, Inc., an Iowa corp.

M5-2,119

CORPORATE ACKNOWLEDGMENT

STATE OF IOWA, MADISON COUNTY, ss:
On this 13th day of April , A.D. 19 98 before me, the undersigned a Notary Public, personally appeared Mark A. Schulberg and _____ to me personally known, who being by me duly sworn, did say that they are the president and _____ respectively, of said corporation, that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and that the said _____ and _____ as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Katherine L. Raines
NOTARY PUBLIC

KATHERINE L. RAINES
10-20-98

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Exhibit "A"

The South Half of the Southeast Quarter (S1/2 SE1/4) and the Southeast Quarter of the Southwest Quarter (SE1/4 SW1/4) of Section Twenty-two (22) and the Northeast Quarter (NE1/4) (except that portion thereof as may have been heretofore conveyed to or formerly occupied by the Des Moines Southern Railroad Company as a Railroad right of way) and the West Half of the Southeast Quarter (W1/2 SE1/4) (except the C.R.I.&P. Railroad right of way and except that portion thereof lying South and East of said Railroad right of way) and all that part of the South Twenty-four (24) rods of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) lying North and West of the C.R.I. & P. Railroad right of way, and the East Half of the Northwest Quarter (E1/2 NW1/4) (except that portion thereof as may have been heretofore conveyed to or occupied by the Des Moines Southern Railroad Company as a railroad right of way) and the East Half of the Southwest Quarter (E1/2 SW1/4) and the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) and the East Three and One-quarter (3 1/4) Acres of the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section Twenty-seven (27), all in Township Seventy-six (76) North, of Range Twenty-seven (27) West of the 5th P.M., subject, however, to any and all easements for public highway affecting premises, and subject also to easement granted the Standard Oil Company of Indiana for pipeline, etc., affecting said premises, which latter easement is recorded in Book 75 on Page 454 of the records in the office of the Recorder of said County, all in Madison County, Iowa.

and

That part of the Northeast Quarter of the Northeast Quarter (NE1/4 NE1/4) and the West Half of the Northeast Quarter (W1/2 NE1/4) and the East Half of the Northwest Quarter (E1/2 NW1/4) of Section Twenty-seven (27), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., as may have been heretofore conveyed to or occupied by the Des Moines Southern Railroad Company as a railroad right-of-way, all in Madison County, Iowa.

and

The East Half (E1/2) of the Northeast Quarter (NE1/4) of Section Thirty-four (34) ^{Hwy 92)} and all that part of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of Section Twenty-seven (27) lying South and East of the public highway known as Primary Road No. 92 as now located in Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa.

and

West 2.42 acres of 4.16 acres Cent. pt. of the SE1/4 of the SE1/4 of Section 27, Township 76, Range 27, West of the 5th P.M., Madison County, Iowa,

and

.49 acres Northwest corner, NE1/4 of the NE1/4 of Section 34, Township 76 North, Range 27, West of the 5th P.M., Madison County, Iowa.

Midwest Rock Products, Inc.