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BOOK 140 PAGE 19

98 MAY 21 PM 2: 29

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

REC 5<sup>00</sup>

AUD \$ \_\_\_\_\_

R.M.F. \$ 1.00

COMPUTER

RECORDED

COMPARED

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:

Kevin D. Barber and Teresa Barber,

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 "C", LOCATED IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 9 AND THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8 TOWNSHIP 76 NORTH, RANGE 27 WEST OF THE 5th P.M., MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 9, TOWNSHIP 76 NORTH, RANGE 27 WEST OF THE 5th P.M., MADISON COUNTY, IOWA: THENCE SOUTH 90°00'00" WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 2287.41 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 90°00'00" WEST ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, 321.16 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 9; THENCE SOUTH 89°43'28" WEST ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 76 NORTH, RANGE 27 WEST OF THE 5th P.M., MADISON COUNTY, IOWA, 200.00 FEET TO A POINT IN AN EXISTING FENCE; THENCE NORTH 4°01'55" EAST ALONG AN EXISTING FENCE, 327.94 FEET; THENCE SOUTH 87°11'53" EAST ALONG AN EXISTING FENCE, 502.33 FEET; THENCE SOUTH 0°41'16" WEST ALONG AN EXISTING FENCE, 301.92 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 3.694 ACRES, INCLUDING 0.324 ACRES OF COUNTY 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 Feb., 19 98.

Kevin D. Barber

Kevin D. Barber

Teresa Barber

Teresa Barber

STATE OF IOWA, ss:

On this 26<sup>th</sup> day of Feb., 19 98, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Kevin D. Barber and Teresa Barber 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.

JOYCE E. BINNS  
MY COMMISSION EXPIRES  
1-10-99

Joyce E. Binns  
Notary Public

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