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EASEMENT

FILED NO. 4706  
BOOK 140 PAGE 87  
98 MAY 21 PM 3: 29

KNOW ALL MEN BY THESE PRESENTS:

Michael D. Holmes and Ilene Holmes, Husband and wife, hereinafter referred to as GRANTORS, in consideration of One Dollar and Other Valuable Considerations, 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:

East Half of the Northwest Quarter of Section Twenty-nine (29) Township Seventy-five (75) North, Range Twenty-seven (27), West of the Fifth P.M., Madison County, Iowa.

and locally known as: 265th

The easement shall be 32 feet in width, starting 10 feet North of South fence line, with waterline in the center of the easement.

GRANTEE, during initial construction and after construction is completed, during any repair of such waterline and appurtenances, shall:

1. Repair any fences and field tile lines that are damaged by GRANTEES, or any persons performing such work for GRANTEES, to GRANTORS satisfaction.
2. Pay any damages for field crops when installing or in maintaining waterline.,
3. Furnish GRANTORS with a map, with the location in feet where any pipeline and any appurtenances are located.
4. Restore the grade of the land to the same grade that existed prior to the construction, repair or maintenance of said pipeline and appurtenances.
5. GRANTEES will notify GRANTORS forty-eight (48) hours before starting to trench.

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 24 day of April, 1998.

Michael D. Holmes  
Michael D. Holmes

Ilene Holmes  
Ilene Holmes

STATE OF IOWA, MADISON COUNTY, ss:

On this 24 day of April, 1998, before me, the undersigned, a Notary Public in and for the said State, personally appeared, Michael D. Holmes and Ilene Holmes, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

 RUBY PATTERSON  
MY COMMISSION EXPIRES  
5/25/01

Ruby Patterson  
Notary Public in and for the  
State of Iowa