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MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

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

COMPUTER ✓
RECORDED ✓
COMPARED ✓

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

DAVID A. SMITH AND COLLEEN M. SMITH

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:

The Northwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Eight (8), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; AND Parcel "C" located in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Eight (8), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the West Quarter corner of Section Eight (8), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; thence North 89°41'58" East along the South line of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said section Eight (8), 169.00 feet; thence North 0°09'03" West, 1288.16 feet to a point on the Centerline of County Road G-50; thence North 87°55'40" West along said Road centerline, 169.13 feet to a point on the West line of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Eight (8); thence South 0°09'03" East along an existing fence line which is the West line of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section Eight (8), 1295.16 feet to the Point of Beginning. Said Parcel contains 5.011 acres, including 0.233 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 21ST day of OCTOBER, 1998.

David A. Smith
DAVID A. SMITH

Colleen M. Smith
COLLEEN M. SMITH

STATE OF IOWA, ss:

On this 21ST day of OCTOBER 1998, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared DAVID A. SMITH & colleen m. Smith 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.

Rhonda White
Notary Public

