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FILED NO. 2993
BOOK 134 PAGE 347

M-0018

EASEMENT

REC 10 ✓
AUDS.
R.M.F. \$ ✓

95 MAY 22 AM 10: 59

MICHELLE UTSELL
RECORDER
MADISON COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS:

HOWARD P. DOWNS AND SUSAN R. DOWNS, 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:

SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the S $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, Township 75 North, Range 26 West of the 5th P.M., Madison County, Iowa, EXCEPT $\frac{1}{4}$ acre in the NW corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ AND EXCEPT Commencing at the NW $\frac{1}{4}$ corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36, S00°00'00" 100.00 feet to the Point of Beginning, thence continuing along said west line, S00°00'00" 758.23 feet; thence N84°43'39" East 357.70 feet; thence N00°00'00" 758.23 feet; thence S84°43'39" W 357.70 feet to the Point of Beginning thereof.

and locally known as: RR St. Charles, Iowa 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.

Water line to be installed no more than 50 feet from the County Right-of-Way along the west and south property lines. 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 crop damage will be paid by the GRANTEE. The GRANTEE shall pay for all damages to tile lines caused by installation or maintenance of the water line. 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 provisions of this easement will constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

(1)

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IN WITNESS WHEREOF, the GRANTORS have executed this instrument
this ^{28th} day of April, 1995.

Howard P. Downs
by [Signature] POA.
HOWARD P. DOWNS

Susan R. Downs
SUSAN R. DOWNS

STATE OF IOWA, MADISON COUNTY, ss:

On this 28th day of April, 1995, before me the undersigned a
notary public in and for the State of Iowa appeared Howard P.
Downs and Susan R. Downs to me 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.

[Signature: Peggy C. ...]
Notary Public



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