

M-0214

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Charles W. Athy and Myra J. Athy, husband and wife, 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:

The East 30 acres of the NE 1/4 of the SE 1/4 of Section 25, Township 75 North, Range 26 West of the 5th P.M., Madison County, Iowa

and locally known as: 2436-265th 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. The waterline will be installed within the first 50 ft. along the front of the property line, except, in front of house along the mowed yard the waterline will be installed in the ~~road~~ Right Of Way. 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 5th day of January, 1995.

Charles W. Athy
Charles W. Athy

Myra J. Athy
Myra J. Athy

STATE OF IOWA, Madison COUNTY, ss:

On this 5TH day of JANUARY, 1995, before me the undersigned, a notary public in and for the State of Iowa appeared CHARLES W. ATHY MYRA J. ATHY 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.

COMPUTER
RECORDED
COMPARED

Cheryl M. Pasa
Notary Public
CHERYL M. PASA



STATE OF) IOWA
COUNTY OF) POLK

MY COMMISSION EXPIRES: JANUARY 19, 1998.

1941
Inst. No. 30
Filed for Record this 30 day of January 19 95 at 2:09 PM
Book 133 Page 778
Recording Fee \$ 6.00
Michelle Ustler, Recorder, By Shirley A. Flansburg Deputy

M-0214