

R41 Box 263
SC

(38)

M-0221

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Dwight F. Downs and Thelma Downs, 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:

W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 26, Township 75 North, Range 26 West of the 5th P.M., Madison County, Iowa

and locally known as: 1715 Ulyatt
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 WHEREOF, the GRANTORS have executed this instrument this Jan 5 day of 19 95

Dwight F. Downs
Dwight F. Downs

Thelma Downs
Thelma Downs

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 Dwight F. & Thelma 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.

FILED NO. 1942
BOOK 133 PAGE 779
95 JAN 30 PM 2: 10
MICHELLE UTGLER
RECORDER
MADISON COUNTY, IOWA

Ann M. Anderson
Notary Public

ANN M. ANDERSON
MY COMMISSION EXPIRES
2-15-1996

COMPUTER
RECORDED
COMPARED

REC \$ 5.00
AUD \$ 1.00
R.M.F. \$ 1.00

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