

M-0197

EASEMENT

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

COMPUTER
RECORDED
COMPARED

KNOW ALL MEN BY THESE PRESENTS:

Cody A. Hutton, 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:

S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 23, Township 75 North, Range 26 West of the 5th P.M., Madison County, Iowa, EXCEPT Beginning at the NE corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 23, thence along the East line of said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, S00°00'00" 650.77 feet; thence South 85°15'39"W 671.66 feet; thence N00°00'00" 650.77 feet to the North line of said SE $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence along said North line, N85°15'39"E 671.66 feet to the point of beginning.

and locally known as: 2294 Elyatt
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 10 day of February, 1995.

Cody A. Hutton
Cody A. Hutton

FILED NO. **2139**

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95 FEB 27 AM 10:30

MICHELLE UTOLLER
RECORDER
MADISON COUNTY, IOWA

STATE OF IOWA, Madison COUNTY, ss:

On this 10 day of Feb, 1995, before me the undersigned, a notary public in and for the State of Iowa appeared Cody A. Hutton 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.

 TWILA J. SALSBURY
MY COMMISSION EXPIRES
7-97

Twila J. Salsbury
Notary Public

1-0197