

REC \$ 10.00
AUD \$ _____
R.M.F. \$ 1.00

COMPUTER ✓
RECORDED ✓
COMPARED _____

FILED NO. 2141
BOOK 60 PAGE 101
95 FEB 27 AM 10:32

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

WILLIAM HARPER 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:

SEE ATTACHED LEGAL DESCRIPTION

and locally known as:
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 provisions of this easement will constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

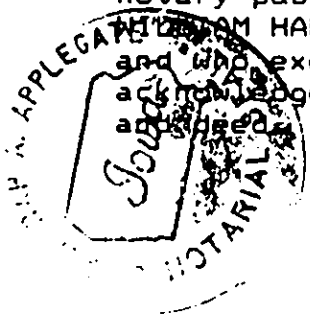
IN WITNESS WHEREOF, the GRANTORS have executed this instrument this 17th day of Febr., 1995.

William Harper
WILLIAM HARPER

Dorothy Harper
DOROTHY HARPER

STATE OF IOWA, Decatur COUNTY, ss:

On this 17 day of Febr., 1995, before me the undersigned a notary public in and for the State of Iowa appeared _____ and _____ known to me 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



Deborah A. Applegate
Notary Public

V-M

Out Lot 8 in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11 in Township 74 North, Range 27 West of the 5th P.M., EXCEPT Commencing at a point 50 feet East and 15 feet South of the SE corner of Block 1 of the Original Town Plat of East Peru, thence North 33 $\frac{1}{2}$ feet, thence East 40 feet, thence South to the right of way of the Chicago Great Western Railway, thence SW along said right of way to the place of beginning AND EXCEPT that part of Out Lot 8 lying North of the center line of the creek which is the North boundary of this property, all in the Town of East Peru, Madison County, Iowa.

AND That part of the NE $\frac{1}{4}$ of Section 11, Township 74 North, Range 27 West of the 5th P.M., bounded as follows: On the SW by the Southerly extension of the center line of Florence Street; On the Northwest by a line parallel with and distant 150 feet Northwesterly, measured at right angles and radially, from the center line of the main track (now removed) of the Chicago, St. Paul and Kansas City Railway Company (later the Chicago Great Western Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Section 11; On the NE by the Southerly line of County Road No. 307; And on the SE by a line parallel with and distant 50 feet Southeasterly, measured at right angles and radially, from the center line of the main track (now removed) of the Chicago and North Western Transportation Company (formerly the Chicago Great Western Railway Company), as said main track was located prior to its removal.

AND That part of the NE $\frac{1}{4}$ of Section 11, Township 74 North, Range 27 West of the 5th P.M. bounded as follows: On the West by the Southerly extension of the center line of Florence Street; On the NW by the Southeasterly line of the above described parcel of land; And on the SE by a line parallel with and distant 8.5 feet Southeasterly, measured at right angles and radially, from the center line of the most Southeasterly side track (now removed) of the Chicago and North Western Transportation Company (formerly the Chicago Great Western Railway Company), as said side track was located prior to its removal.

Hamper, William & Lecky