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AUD \$ \_\_\_\_\_  
R.M.F. \$ 10

FILED NO. 2175  
BOOK 134 PAGE 66  
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MUNICIPAL UTILITY EASEMENT

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENCE:

The undersigned owners, Lakeview Country Club, hereafter called the Grantor, in consideration of the sum of one dollar and other valuable considerations, receipt of which is acknowledged, does hereby grant to the City of Winterset, Iowa, hereafter called the Grantee, the perpetual right and easement to construct, install, repair, maintain, operate, inspect, patrol and remove municipal water distribution facilities including buried pipe, and accessories for the same and all necessary appurtenances as may be reasonably necessary for the convenient construction, repair, maintenance, operation, inspection, patrolling and removal of the facilities over, along, across and under the following described property situated in Madison County, Iowa, to-wit:

PERMANENT EASEMENT

A twenty feet (20') wide parcel 10 feet on either side of the following described centerline: Commencing at the South Quarter Corner of Section 19, T76N, R27W of the 5th P.M., Madison County, Iowa; thence, along the south line of the SE.1/4 of said Section 19, South 88°41'55" East 653.71 feet; thence North 00°53'40" East 1591.75 feet to the Point of Beginning thence, along said centerline, North 89°16'12" East 335.13 feet; thence, continuing along said centerline, South 41°54'54" East 166.07 feet to the Northwestern right of way line of Country Club Road which is the end of said easement.

The Grantor warrant and covenant to the Grantee that, subject to liens and encumbrances of record at the date of this easement, it is the owner of the above described land and has full right and authority to validly grant this easement, and the Grantee may quietly enjoy its estate in the premises.

Grantee is given the right to trim, cut and clear away any trees, limbs and brush, whether located on the above described easement property or adjacent to or overhanging the same, and the right to remove from the above described easement property any obstruction, including inflammable materials, brush, structures of any kind or other obstructions wherever in its judgment such will interfere with or endanger the construction, operation or maintenance of the utilities; and to renew, replace, and to otherwise change the utilities or any part thereof and all appurtenances thereto and the location thereof within the easement property; and to pass along the easement property to and from adjoining lands and to have reasonable access to this property from Grantor's adjoining lands.

In consideration of such grant, Grantee agrees it will repair or pay for any damage which may be caused to crops, fences or other property of the undersigned by the construction, operation, maintenance, inspection, patrolling

or removal of this line.

The Grantors covenant that no act will be permitted within the easement property which is inconsistent with the rights hereby granted; that no buildings or structures will be erected upon said property and that the present grade or ground level thereof will not be changed by excavation or filling.

This Agreement shall run with the land and bind and inure to the benefit of the heirs, successors and assigns of the parties.

Dated this 30th day of January, 1995.

Grantor: LAKEVIEW COUNTRY CLUB

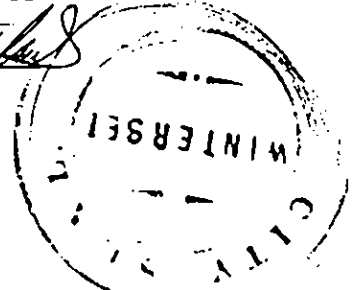
Grantee: CITY OF WINTERSET, IOWA

By Deanna Cooper, Pres.

By Jerry Schwertfeger  
Jerry Schwertfeger, Mayor

By Carolyn Ann Wilson, Secy

By Mark Nitchals  
Mark Nitchals,  
City Administrator



STATE OF IOWA )  
                  ) SS  
                  ) COUNTY )

On this 30th day of January, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared Deanna Cooper and Carolyn Ann Wilson to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged to me that they executed the same as their voluntary act and deed.



Cindy M. Bush  
Notary Public in and for said State

STATE OF IOWA )  
                  ) SS  
MADISON COUNTY )

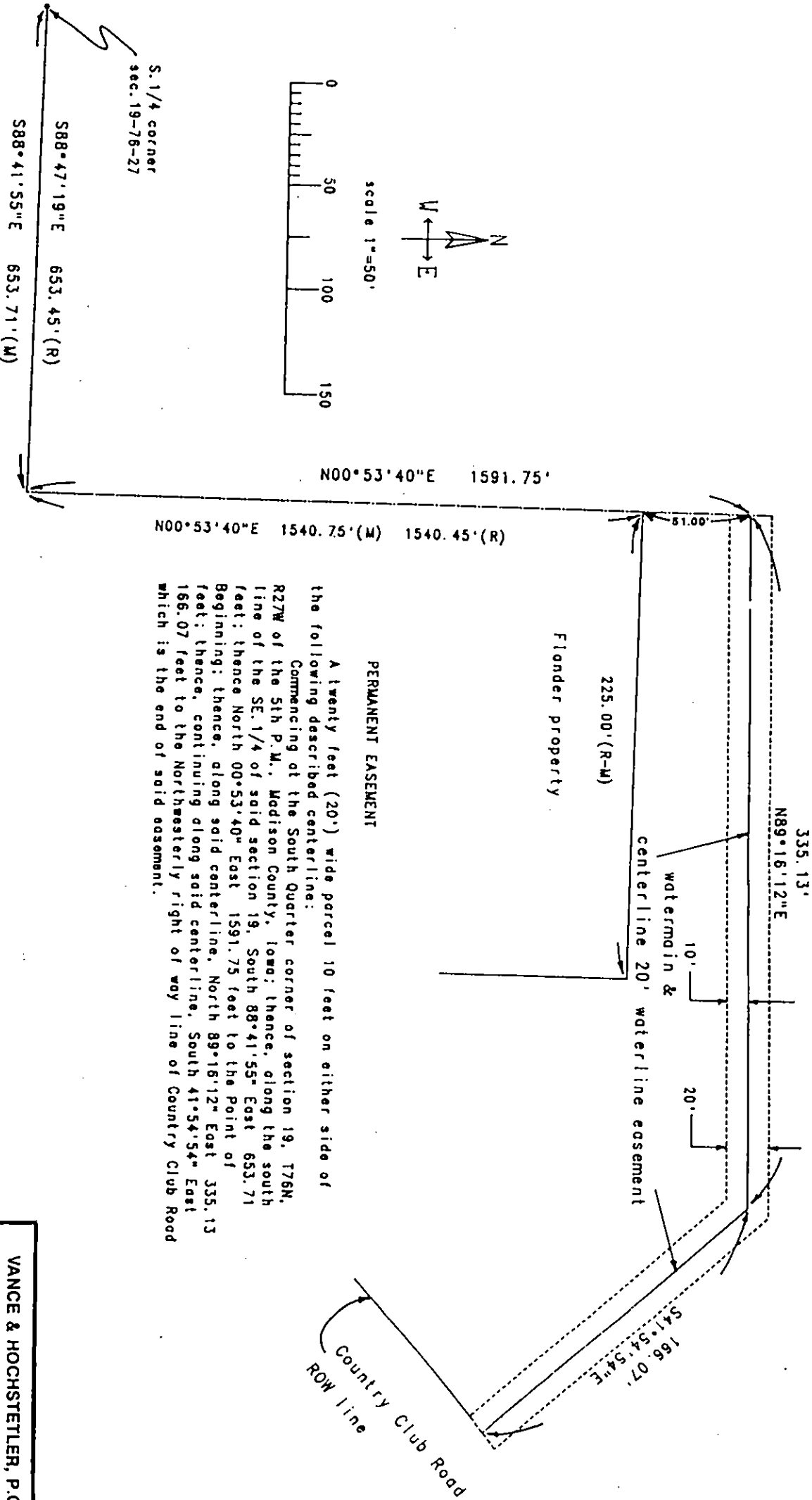
On this 6th day of February A.D., 1995, before me, Cindy M. Bush, a Notary Public in and for said County and State, personally appeared Jerry Schwertfeger and Mark Nitchals, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Administrator, respectively, of the City of Winterset, Iowa; that the seal affixed thereto is the seal of said corporation; and that said authority of its City Council, as contained in the Resolution adopted by the City Council of the City on the 6th day of February, 1995; and, that Mark Nitchals and Jerry Schwertfeger acknowledge the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.



Cindy M. Bush  
Notary Public

EASEMENT ACQUISITION PLAT-WATER MAIN PROJECT  
 for Board of Trustees of Municipal Utilities,  
 City of Winterset, Iowa, in the NW 1/4 of the  
 SE. 1/4 of section 19, T76N, R27W of the 5th P.M.  
 Madison County, Iowa

Lakeview Country Club property



**PERMANENT EASEMENT**

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VANCE & HOCHSTETLER, P.C.  
 CONSULTING ENGINEERS  
 71 JEFFERSON STREET  
 WINTERSSET, IOWA