

FILED NO. 2314

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MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

COMPUTER
RECORDED
COMPARED

REC 215.00
AUDS 1.00
R.M.F. \$ 1.00

EASEMENT

THIS AGREEMENT is made and entered into this 13th day of March, 1995, by and between Benjamin W. Johnson and Terri J. Johnson, husband and wife, of Madison County, Iowa, herein referred to as Grantors; and Edwin J. Acela, a single person, of Madison County, Iowa, herein referred to as Grantee, WITNESSETH:

For the consideration of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, Grantors hereby convey to Grantee an easement and a right of entry, for the purposes hereinafter set forth, over and across a portion of the following described real estate, to-wit:

Parcel "A" located in the South 60 acres of the West Half (1/2) of the Northwest Quarter (1/4) of Section Thirty-two (32), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows:
Beginning at the Southwest corner of the West Half (1/2) of the Northwest Quarter (1/4) of Section 32, Township 76 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence North 00°25'02" East 1992.78 feet to the Northwest corner of said South 60 acres of the West Half (1/2) of the Northwest Quarter (1/4); thence North 86°12'31" East 1307.48 feet to the Northeast corner of said South 60 acres of the West Half (1/2) of the Northwest Quarter (1/4); thence, along the East line of said West Half (1/2) of the Northwest Quarter (1/4), South 00°00'00" West 1653.52 feet; thence North 89°44'48" West 53.44 feet to a curve in the centerline of a county road; thence Southwesterly 554.86 feet along said centerline curve, having a radius of 480.00 feet, a central angle of 66°13'52" and a chord bearing South 48°19'21" West 524.48 feet; thence South 08°09'11" East 5.20 feet to the South line of said West Half (1/2) of the Northwest Quarter (1/4); thence South 85°17'36" West 877.66 feet to the Point of Beginning. Said Parcel "A" contains 58.439 acres, including 2.850 acres of county road right of way.

This easement grants Grantee the right to draw water from a well situated on the above described real estate and shall include the right to install, maintain, repair and replace such pipe, lines, pumps, motors, electric cables and lines and appurtenant devises and equipment as are necessary to draw water

#2. Easement
Johnson - Acela

from such well and transport such water to Grantee's residence and outbuildings situated in the NW¼ SW¼ of Section 32, Township 76 North, Range 26 West of the 5th P.M., Madison County, Iowa.

The easement shall consist of a 30.00 foot wide strip located on the above described real estate being 15.00 feet on either side of the present waterline running from the well over, under, and across Grantors' real estate to Grantee's real estate above described. The easement strip shall also encompass the well.

This easement is nonexclusive, and does not grant Grantee the exclusive right to fence or enclose the easement premises. The easement is not to be construed in any way to guarantee Grantee a water supply.

If any damage to the surface of the ground results from the exercise of the easement or right of entry by Grantee, Grantee shall restore the surface and Grantee shall be liable and pay for any damage to growing crops, fences, gates or other property belonging to Grantors or their successors in interest, resulting from or occasioned by Grantee's exercise of this easement and/or right of entry.

The easement shall constitute a covenant running with the real estate herein described and shall be binding upon the Grantors and Grantee, their personal representatives, devisees, legatees, heirs at law, grantees, successors in interest, and assigns, unless cancelled or modified by written agreement entered into by and between the parties in interest.

IN WITNESS WHEREOF, Grantors and Grantee have entered into this Easement on the date above written.

GRANTORS

GRANTEE

Benjamin W. Johnson
Benjamin W. Johnson

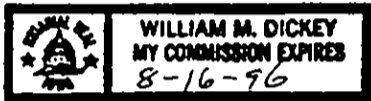
Edwin J. Acela
Edwin J. Acela

Terri J. Johnson
Terri J. Johnson

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Johnson - Acela

STATE OF IOWA :
 : SS
MADISON COUNTY :

On this 13th day of March, 1995, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Benjamin W. Johnson and Terri J. Johnson, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



William M. Dickey
Notary Public in and for the
State of Iowa.

(S E A L)

STATE OF IOWA :
 : SS
MADISON COUNTY :

On this 13th day of March, 1995, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Edwin J. Acela, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.



William M. Acela
Notary Public in and for the
State of Iowa.

(S E A L)