

M-0194

EASEMENT

COMPUTED ✓  
RECORDED ✓  
CORRECTED ✓

FILED NO. 34  
BOOK 134 PAGE 435  
95 JUL -6 AM:9:50

MICHELLE UTSLET  
RECORDER  
MADISON COUNTY, IOWA

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

KNOW ALL MEN BY THESE PRESENTS:

John P. Johnston and ~~Sharilyn E. Hanna~~; and ~~Donald G. DeWacy, Jr.~~ 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:

The NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 23, Township 75 North, Range 26 West of the 5th P.M., Madison County, Iowa EXCEPT Beginning at the center of said Section 23; thence along the North line of the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 23, N84°31'50"E 335.00 feet; thence S00°00'00" 391.87 feet; thence S84°31'50"W 335.00 feet to the West line of said NW $\frac{1}{4}$  SE $\frac{1}{4}$ ; thence along said West line, N00°00'00" 391.87 feet to the point of beginning.

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, <sup>RA</sup> 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 15<sup>th</sup> day of August, 1994.

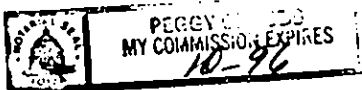
~~Donald G. DeWacy, Jr.~~

John P. Johnston  
John P. Johnston

~~Sharilyn E. Hanna~~

STATE OF IOWA, Madison COUNTY, ss:

On this 15<sup>th</sup> day of August, 1994, before me the undersigned, a notary public in and for the State of Iowa appeared John P. Johnston 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.



Peggy J. Crabbs  
Notary Public

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