

REC 2000

R.M.F. 5/00

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MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

**EASEMENT**

COMPUTED ✓  
RECORDED ✓  
CONTAINED ✓

WHEREAS Curt Sandahl, hereinafter referred to as Grantor,  
is the owner of real estate legally described as follows:

The East Half (E½) of the Southeast Quarter (SE¼) of Section Eight (8) and a tract described as follows: Commencing at the Northwest corner of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Nine (9), and running thence South 80 rods, thence East 80 rods, thence in a Northwesterly direction on a straight line to place of beginning; all in Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except Commencing at the Southwest corner of the East Half (E½) of the Southeast Quarter (SE¼) of Section Eight (8), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, running thence North along the West line of said 80 acre tract for a distance of approximately 78 rods to the point where the West line of said 80 acre tract crosses the main channel of Clanton Creek, thence South and East along the center of the channel of Clanton Creek to the point where the center of the channel of Clanton Creek crosses a line drawn from the Northwest corner to the Southeast corner of the Southwest Quarter (SW¼) of Southwest Quarter (SW¼) of Section Nine (9), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., thence Southeast along said line to the Southeast corner of said Southwest Quarter (SW¼) of the Southwest Quarter (SW¼), thence West along the South line of said Sections Nine (9) and Eight (8) to the point of beginning, containing in all approximately 17 acres, subject to easements of record, except Parcel "A", located in the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section Eight (8), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the East Quarter Corner of Section Eight (8), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence South 0°12'53" East long the East line of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of said Section Eight (8), 314.00 feet; thence South 90°00'00" West, 561.07 feet; thence North 41°53'10" West, 421.77 feet to a point on the North line of

the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Eight (8); thence North 90°00'00" East along the North line of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Eight (8), 841.48 feet to the Point of Beginning. Said excepted parcel contains 5.055 acres including 0.626 acres of county road right-of-way, and

WHEREAS Stephen D. Agan, hereinafter referred to as Grantee, is the owner of contiguous real estate legally described as follows:

Parcel "A", located in the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Eight (8), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the East Quarter Corner of Section Eight (8), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence South 0°12'53" East along the East line of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Eight (8), 314.00 feet; thence South 90°00'00" West, 561.07 feet; thence North 41°53'10" West, 421.77 feet to a point on the North line of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Eight (8); thence North 90°00'00" East along the North line of the Northeast Quarter (NE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of said Section Eight (8), 841.48 feet to the Point of Beginning. Said excepted parcel contains 5.055 acres including 0.626 acres of county road right-of-way, and

WHEREAS, Grantor, his successors, heirs and assigns, in consideration of one dollar (\$1.00) and other good and valuable consideration, and in further consideration of the mutual covenants and promises herein made, desires to grant unto the Grantee, his successors, heirs and assigns, a permanent and perpetual easement to a certain well and waterline or waterlines located upon Grantor's real estate.

BE IT THEREFORE AGREED by and between the parties as follows:

1. The well which is the subject of this easement is located on the Grantor's real estate described herein and is located generally twenty-five (25) yards from Clanton Creek on Grantor's real estate located in the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Eight (8) of Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa. The waterline or waterlines run generally from the subject well to the Grantee's contiguous real estate.

2. This easement shall encompass the subject well and the existing waterline or waterlines running therefrom to the real estate owned by the Grantee.

3. Grantee agrees he shall be solely responsible for the repair and maintenance of said well, waterline or waterlines, pump or pumps, wiring and the like associated with said wells, and shall be responsible for the payment of all charges for electricity associated with their usage thereof.

4. The easement granted unto the Grantee shall include the additional right to enter upon the Grantor's real estate to repair and maintain the said well and waterline or waterlines and appurtenances leading therefrom, whenever such repair and maintenance is necessary. Grantee will fully compensate Grantor for any damage done to the surface of the

subject real estate or any crops thereon by reason of such repair or maintenance.

Dated this 18 day of Mar, 1996.

Stephen D. Agan  
Stephen D. Agan

Curt Sandahl  
Curt Sandahl

STATE OF IOWA, MADISON COUNTY, SS:

On this \_\_\_\_\_ day of \_\_\_\_\_, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared Stephen D. Agan and Curt Sandahl, 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.



Larry D. Watts  
Notary Public in and for Iowa