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WARREN WATER

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BOOK 136 PAGE 442

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

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

THIS DOCUMENT PREPARED BY:
Richard B. Clogg, Attorney at Law
106 E. Salem Ave., P.O. Box 215
Indianola, Iowa 50125
Telephone: 515-961-2574

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Ernest R. Benner and Barbara J. Banner, 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 water lines and appurtenances thereto, over, across and through the land of the GRANTORS situated in Madison County, Iowa, being more specifically described as follows:

S1/2 SW 1/4 of Sec28-T75N-R26W of the 5th P.M., EXCEPT that portion thereof located West of Clanton Creek as the Creek was located October 8, 1978; and NW 1/4 and SW 1/4 NE 1/4 and W 1/2 SE 1/4 and E 1/2 SW 1/4 and NW 1/4 SW 1/4 of Sec 33, T75N, R26W of the 5th P.M., Madison County, Iowa.

and

SW 1/4 SW 1/4 of Sec 33, T75N, R26W and NW Fr1 1/4 of Sec 4, T74N, R 26W of the 5th P.M., Madison County, Iowa.

3045 Settlers Trail-Truro

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 GRANTOR, 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 28TH day of MAY, 1996.

✓M

Anna M. Frudley witness

Ernest R. Benner
Ernest R. Benner

Richard G. Lee witness

Barbara J. Benner
Barbara J. Benner

STATE OF IOWA, ss:

W. VA. On this 28TH day of MAY, 1996, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Ernest R. Benner and Barbara J. Benner

to me known to be the identical persons named in and who executed the above and foregoing, and acknowledged that they executed the same as their voluntary act and deed.

Linda Lee
Notary Public

