

SEARCHED ✓  
RECORDED ✓  
COMPARED ✓

FILED NO. 513  
BOOK 137 PAGE 789  
97 AUG -5 PM 2:19  
MICHELLE UTSLET  
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

REG. \$ 10.00  
AND \$ \_\_\_\_\_  
R.M.S. \$ 1.00

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:  
John W. Bontrager, Mary C. Bontrager

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 waterlines and appurtenances thereto, over, across and through the land of the GRANTORS situated in Madison County, Iowa, being more specifically described as follows:

See attached exhibit A

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 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 WHERE OF, the GRANTORS have executed this instrument this \_\_\_\_\_ day of July 9, 1997.

John W. Bontrager  
John W. Bontrager

Mary C. Bontrager  
Mary C. Bontrager

STATE OF IOWA, ss:

On this 9 day of July, 1997, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared John Bontrager 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 RIEL  
MY COMMISSION EXPIRES  
5-21-99

Linda Riel  
Notary Public

## EXHIBIT "A"

Beginning at the E  $\frac{1}{4}$  corner of Section 24, Township 77 North, Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa; thence S00°00'00"W, along the east line of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 24-77-26 and also along the centerline of a public roadway, 1310.65 feet to the SE corner of said NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; thence S82°55'00"W, along the south line of the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of said Section 24-77-26 and also along the north line of Evans Rural Estates Plat 2, an Official Plat, now included in and forming a part of Madison County, Iowa, 1609.49 feet; thence N07°5'05"W, 248.70 feet; thence N31°40'46"E, 719.20 feet; thence N84°34'15"E, 115.44 feet; thence N05°25'45"W, 677.44 feet; thence N83°06'51"E, 856.64 feet; thence N86°33'25"E, 27.99 feet; thence N00°00'00"E, 15.00 feet; thence N90°00'00"E, 320.94 feet to a point on the east line of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said Section 24-77-26 and also to a point on the centerline of a public roadway; thence S00°00'00"W, along the east line of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said Section 24-77-26 and also along the centerline of a public roadway, 154.42 feet to the point of beginning; all of said parcel being located in the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  and the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 24, Township 77 North, Range 26 West of the 5<sup>th</sup> P.M., Madison County, Iowa and contains approximately 46.0360 acres.

mjpg\3288-0002\plat\Exhibit A2\ajg

*Bontregno, J.L.*