

INDEXED ✓
RECORDED ✓
COMPARSED ✓

FILED NO. 23

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97 JUL -2 PM 1:11

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

REG. \$15.00

AUD. \$5.00

R.M.F. \$1.00

Preparer Information

Jerrold B. Oliver
Individual's Name

P.O. Box 230
Street Address

Winterset
City

462-3731
Phone

SPACE ABOVE THIS LINE
FOR RECORDER

QUIT CLAIM DEED

For the consideration of ONE ----- (\$1.00)
Dollar(s) and other valuable consideration,
CITY OF ST. CHARLES

do hereby Quit Claim to
DAVID LEE LATHRUM and MARTHA ANN LATHRUM,

all our right, title, interest, estate, claim and demand in the following described real estate in
Madison County, Iowa:
SEE DESCRIPTION ATTACHED HERETO AND MARKED EXHIBIT "A".

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: July 1, 1997

CITY OF ST. CHARLES, IOWA
By Jean Brown Mayor
Jean Brown (Grantor)

STATE OF Iowa ss:
Madison COUNTY,

By Janet Lea Downs Clerk
Janet Lea Downs (Grantor)

On this 1st day of July,
19 97, before me, the undersigned, a Notary Public in and for said State, personally appeared

Jean Brown
Janet Lea Downs

(Grantor)

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.

(Grantor)

(Grantor)

Judith Ann Bedwell

(Grantor)

Notary Public

(This form of acknowledgment for individual grantor(s) only)



(Grantor)

STATE OF IOWA :
: SS
MADISON COUNTY :

On this 1st day of July, 1997, before me, the undersigned, a Notary Public in and for said State, personally appeared Joan Brown, Mayor of the City of St. Charles, and Janet Lea Downs, City Clerk of the City of St. Charles, Iowa, a municipal corporation, which executed the foregoing instrument, and by me duly sworn, each for himself, did say that they are respectively Mayor and City Clerk of the City of St. Charles, Iowa, and the said instrument was signed by them and sealed on behalf of the City of St. Charles, Iowa, by authority of its City Council, and each of them acknowledged the execution of said instrument to be the voluntary act and deed of said City of St. Charles, Iowa, by it and by them voluntarily executed.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my notarial seal the day and year last above written.



Judith Ann Bedwell
Notary Public in and for the State of Iowa

EXHIBIT "A"

A part of the former right-of-way of the Chicago, Burlington and Quincy Railroad Company located in the Southeast Quarter of the Northeast Quarter of Section 23, Township 75 North, Range 26 West of the 5th P.M., City of St. Charles, Madison County, Iowa, more precisely described as follows: Beginning at the Southwest Corner of Lot 12, Kephart's Addition to St. Charles, Iowa, Plat No. 1; thence North 90°00'00" West 66.54 feet along the North line of Clanton Street extended to the Westerly right-of-way line of the former Chicago, Burlington and Quincy Railroad Company; thence Southwesterly along a 767.30 feet radius curve concave Southwesterly 296.69 feet with a 294.95 feet chord bearing South 27°34'06" West; thence Southwesterly along a 1502.84 feet radius curve concave Southeasterly 136.45 feet with a 136.42 feet chord bearing South 11°33'38" West; thence South 89°57'12" East 50.91 feet to the Easterly right-of-way of the former Chicago Burlington and Quincy Railroad Company which is also the Westerly line of Kephart's Addition to St. Charles, Iowa Plat No. 2; thence Northeasterly 124.12 feet along a 1452.84 feet radius curve concave Southeasterly with a 124.08 feet chord bearing North 11°37'05" East; thence Northeasterly 316.77 feet along a 717.30 feet radius curve concave Southeasterly with a 314.20 feet chord bearing North 29°26'43" East to the Point of Beginning. Said Parcel contains 0.504 acres.

The above-described real property is the same real property described as Parcel J in a Plat of Survey for David Lathrum in the Southeast Quarter (¼) of the Northeast Quarter (¼) of Section 23, recorded on June 19, 1997, in Town Plat 2, commencing on page 319 in the office of the Madison County, Iowa, Recorder.

Reserving unto Grantor, City of St. Charles, Iowa, a perpetual Easement for the purpose of erecting, constructing, installing, laying and thereafter using, operating, inspecting, repairing, maintaining, replacing and removing waterlines and appurtenances thereto over and across a portion of the above described real estate described as follows:

An Easement 20 feet in width running East and West across the above described real estate commencing at the West termination point of Clanton Street and running thence West to the West property line of the above described real estate, together with the right of ingress and egress over the adjacent lands of Grantors, their successors and assigns for the purpose of this Easement.

This Easement shall be 20 feet in width, the centerline of which shall be the water pipeline and the necessary appurtenances thereto, together with an adjacent temporary construction Easement 10 feet in width for construction purposes.

The City of St. Charles, its successors and assigns hereby promise to maintain such water pipeline and other necessary appurtenances in good repair, so that damage to adjacent real estate of David Lee Lathrum and Martha Ann Lathrum, if any damage there be, will be kept to a minimum.

The Reservation and other provisions of this Easement shall constitute a covenant running with the land for the benefit of the City of St. Charles, Iowa, its successors and assigns.