

COMPARED

STATE OF IOWA, SS      Inst. No. 768 Filed for Record this 23 day of September 1992 at 3:15 PM  
MADISON COUNTY,      Book 130 Page 410 Recording Fee NO FEE Michelle Utaler, Recorder, By Betty M. Niblo  
Deputy

IMPOUNDMENT EASEMENT

Robert F. Baur, Karla Tillotson Co-Trustees R. Edward Baur Trust, John R. Baur, John R. Baur, Trustee Mary E. Baur Trust, Baur Farms, Inc. in consideration for the sum of one dollar (\$1.00) and other valuable consideration, do hereby convey onto Madison County, its successors, assigns, heirs, grantees, a perpetual easement over, under, and across the following described real estate:

The North 1/2 of the Southeast Quarter, Section 36, Township 77 North, Range 27 West, Madison County, Iowa

to the overflow, flood, submerge and impound water from North River, Madison County, Iowa, to an elevation of 767.52 (assumed datum). Said easement is for temporary backwater from the North River and will be able to pass a flood with a fifty (50) year recurrence interval.

The above described property is presently subject to the high water of the North River. The elevation of said 767.52 ft. is based upon the 50 year flood profile of said river and includes a factor of 0.91 ft. backwater possible by this highway construction.

The above flood elevation is 0.16 ft. higher than the Iowa Department of Natural Resources (IDNR) requirements for bridge and culvert construction for a 50 year design form. Therefore the above easement is required by the IDNR to construct Madison County Project No. BRS-6041(2)--60-61.

This grant and other provisions of this easement constitute a covenant running with the land for the benefit of Grantees, its successors and assigns.

Dated this 21 day of September, 1992.

<u>R. Edward Baur Trust</u>	<u>Baur Farms, Inc</u>
<u>by Karla Tillotson</u>	<u>by Robert F. Baur</u>
<u>by Robert F. Baur</u>	<u>Mary E. Baur Trust</u>
<u>John R. Baur</u>	<u>by John R. Baur</u>

Signed before me this 21 day of September, 1992.

Lesley X. Sweet  
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

