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M-0147

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Roger D. McKenzie and Carol McKenzie, husband and wife, hereinafter referred to as GRANTORS, in consideration of One Dollar and Other Valuable Consideration, hereby grant and convey unto Warren Water, Inc., 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:

Beginning at the SW corner of the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 12, Township 75 North, Range 26 West of the 5th P.M., Madison County, Iowa, thence N00°00' along the W line of said NE $\frac{1}{4}$  SE $\frac{1}{4}$  926.8 feet to the centerline of a County Road, thence N42°25'E along said centerline 601.5 feet to the North line of said NE $\frac{1}{4}$  SE $\frac{1}{4}$ , thence N83°51'E 228.5 feet along said N line, thence S00°00' 1322.0 feet to the South line of said NE $\frac{1}{4}$  SE $\frac{1}{4}$ , thence S83°23'W 637.1 feet along said South line to the point of beginning.

and locally known as: 2432 Xavier  
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 WHEREOF, the GRANTORS have executed this instrument this 25<sup>th</sup> day of May, 1994.

Roger D McKenzie  
Roger D. McKenzie

Carol McKenzie  
Carol McKenzie

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STATE OF IOWA, Madison COUNTY, ss:

MICHELLE UTSLER  
RECORDER  
MADISON COUNTY, IOWA

On this 25<sup>th</sup> day of May, 1994, before me the undersigned, a notary public in and for the State of Iowa appeared Roger D. McKenzie & Carol McKenzie to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

 RUBY PATTERSON  
MY COMMISSION EXPIRES  
5/25/95

Ruby Patterson  
Notary Public

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