

FILED NO. 256

BOOK 133 PAGE 228

94 JUL 27 PM 1:36

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

M-0172

COMPUTER
RECORDED
COMPARED

REC \$ 15.00
AUD \$
R.M.F. \$ 1.00

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

CHARLES R. STRAWN AND AUDREY J. STRAWN, husband and wife, 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 LEGAL DESCRIPTION

WATER LINE TO BE INSTALLED AS SHOWN ON ATTACHED CONSTRUCTION PLANS

and locally known as: RT 1 ST CHARLES, IOWA 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 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 provisions of this easement will 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 21 day of July, 1994.

Charles R. Strawn
CHARLES R. STRAWN

Audrey J. Strawn
AUDREY J. STRAWN

STATE OF IOWA, Madison COUNTY, ss:

On this 21 day of July, 1994, before me the undersigned a notary public in and for the State of Iowa appeared CHARES R. STRAWN AND AUDREY J. STRAWN 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.



Diane M. Daniels
Notary Public

M-0172

LEGAL DESCRIPTION

PARCEL A

A parcel of land in the S $\frac{1}{4}$ of Section 14, Township 75 North, Range 26 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Commencing at the SW corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14, Township 75 North, Range 26 West of the 5th P.M., Madison County, Iowa, thence along the South line of said Section, N85°59'00"E 2322.94 feet to the SE corner of Henry R. Putney's property, being the point of beginning; thence Northwesterly 229.45 feet along a 143.92 foot radius nontangent curve, concave Northeasterly and having a central angle of 91°20'58" and a chord bearing N48°20'29"W 205.91 feet; thence N02°40'02"W 458.22 feet; thence Northwesterly 191.88 feet along a 179.06 foot radius curve, concave Southwesterly and having a central angle of 61°24'00" and a chord bearing N33°22'05"W 182.83 feet; thence N64°04'02"W 161.18 feet; thence Northwesterly 697.95 feet along a 1657.21 foot radius curve, concave Northeasterly and having a central angle of 24°07'50" and a chord bearing N52°00'07"W 692.80 feet to the NE corner of Henry R. Putney's property; thence S85°23'00"W 20.36 feet to the NE corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section; thence N26°41'29"W 1426.34 feet; thence along the North line of the S $\frac{1}{4}$ of said section, N85°50'24"E 1983.01 feet; thence along the West line of the E $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said section, S00°54'17"W 2639.52 feet to the SW corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said section; thence along the South line of said section, S85°59'00"W 309.25 feet to the point of beginning.

Bearings are based on the South line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14, Township 75 North, Range 26 West, which bears N85°59'00"E as per Charles T. Vance, R.L.S. #5041 plat dated June 16, 1978.

PARCEL B

A parcel of land in the E $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 14, Township 75 North, Range 26 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Beginning at the SW corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 14, Township 75 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence along the South line of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, N85°46'57"E 342.35 feet; thence along an existing fence and its Southerly prolongation, N00°48'34"E 436.55 feet; thence along an existing fence and its easterly prolongation, North 85°21'42"E 985.58 feet; thence along the East line of the SE $\frac{1}{4}$ of said section, thence N00°49'00"E 2194.01 feet to the E $\frac{1}{4}$ corner of said section; thence along the North line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said section, S85°50'24"W 1323.01 feet; thence along the West line of the E $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said section, S00°54'17"W 2639.52 feet to the point of beginning.

Bearings are based on the South line of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 14, Township 75 North, Range 26 West, which bears N85°59'00"E as per Charles T. Vance, R.L.S. #5041 plat dated June 16, 1978.

EXCEPT

A tract of land in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 14, Township 75 North, Range 26 West of the 5th P.M., Madison County, Iowa, described as follows:

Commencing at the SW corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 14, thence N85°46'57"E 41.06 feet along the South line of said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ to the point of beginning; thence continuing along said South line, N85°46'57"E 301.29 feet; thence N00°48'34"E 436.55 feet; thence S85°21'42"W 301.49 feet; thence S00°48'34"W 434.33 feet to the point of beginning.

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