

M-0245

EASEMENT

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KNOW ALL MEN BY THESE PRESENTS:

Weaver J. Porter and Matthew S. Porter, 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:

See attached Legal description

and locally known as: _____ 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 6th day of Aug., 1994.

Weaver J. Porter
Weaver J. Porter

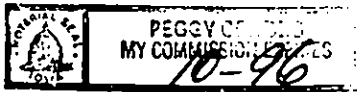
Matthew S. Porter
Matthew S. Porter

STATE OF IOWA, Madison COUNTY, ss:

On this 6th day of Aug, 1994, before me the undersigned, a notary public in and for the State of Iowa appeared Weaver J. Porter and Matthew S. Porter 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.

Peggy Cresthe
Notary Public

COMPUTER RECORDED COMPARED



REC \$45.00
AUD \$
R.M.F. \$1.00

FILED NO. 500
BOOK 59 PAGE 497
94 AUG 17 PM 3: 33
MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

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Part of the N $\frac{1}{4}$ of the NE $\frac{1}{4}$ AND The E $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Township 74 North, Range 27 West of the 5th P.M., Madison County, Iowa, bounded as follows: On the Northwestern side by a line parallel with and distant 50 feet Southeasterly, measured at right angles and radially, from the center line of the main track of the Chicago and North Western Transportation Company (formerly the Chicago Great Western Railway Company), as said main track is now located; On the Southeasterly side by a line parallel with and distant 150 feet Southeasterly, measured at right angles and radially, from the center line of the main track of the Chicago, St. Paul and Kansas City Railway Company (later the Chicago Great Western Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established across said Section 11; On the Southwesterly side by a line drawn at right angles to said original main track center line at a point thereon distant 2.164 feet Northeasterly from its intersection with the West line of said Section 11; And on the Northeasterly side by the Southwesterly line of a public highway crossing the main track of said Transportation Company, at a point near the East line of the Northwest Quarter of the Northeast Quarter of said Section 11 EXCEPT that part lying Northwesterly of a line parallel with and distant 8.5 feet Southeasterly, measured at right angles and radially, from the center line of the most Southeasterly side track of the Chicago and North Western Transportation Company (formerly the Chicago Great Western Railway Company), as said side track is now located.

AND That part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of Section 11, Township 74 North, Range 27 West of the 5th P.M., Madison County, Iowa, described as follows: Beginning at a point on the Northerly extension of the center line of Florence Street, distant 150 feet Northwesterly, measured at right angles, from the center line of the main track (now removed) of the Chicago, St. Paul and Kansas City Railway Company (later the Chicago Great Western Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Section 11; thence Southwesterly parallel with said original main track center line a distance of 893 feet, more or less, to a point on a line drawn at right angles to said original main track center line at a point thereon distant 2,164 feet Northeasterly from the intersection thereof with the West line of said Section 11; thence Southeasterly at right angles to the last described course a distance of 100 feet to a point distant 50 feet Northwesterly, measured at right angles, from said original main track center line; thence Southwesterly parallel with said original main track center line a distance of 767 feet, more or less, to a point on the East line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 11; thence Northerly along said East line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, a distance of 50 feet, more or less, to a point distant 100 feet Northwesterly, measured at right angles, from said original main track center line; thence Southwesterly parallel with said original main track center line to the center line of Clanton Creek; thence Southerly along the center line of Clanton Creek, a distance of 152 feet, more or less, to a point distant 50 feet Southeasterly, measured at right angles, from said original main track center line; thence Northeasterly parallel with said original main track center line to a point distant 8.5 feet Southeasterly, measured radially, from the center line of the most Southeasterly side track (now removed) of the Chicago and North Western Transportation Company (formerly the Chicago Great Western Railway Company), as said side track was located prior to its removal; thence Northeasterly parallel with said side track center line to a point on the Northerly extension of the center line of Florence Street; thence Northerly along said center line of Florence Street, extended, a distance of 157 feet, more or less, to the point of beginning.

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AND A strip of land 30 feet in width extending over and across Lots 3, 4 and 5 in Block 4, Original Town of East Peru, Iowa, together with that part of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11, Township 74 North, Range 27 West of the 5th P.M., Madison County, Iowa, lying Southerly of the South line of Brown Street and Easterly of and adjoining said Lot 5 of Block 4 more particularly described as follows: Beginning at a point on the South line of said Lot 3 in Block 4, distant 15 feet Northeasterly, measured at right angles, from the center line of a spur track (now removed) of the Chicago and North Western Transportation Company (formerly the Chicago Great Western Railway Company), as said spur track was originally located and established; thence Northwesterly parallel with said spur track center line a distance of 260 feet, more or less, to a point on the South line of Brown Street; thence Westerly along said South line of Brown Street to a point distant 15 feet Southwesterly, measured at right angles, from said spur track center line; thence Southeasterly parallel with said spur track center line a distance of 380 feet, more or less, to a point on the Southwesterly extension of the South line of said Lot 3; thence Northeasterly along said South line of Lot 3, extended, a distance of 55 feet, more or less, to the point of beginning.

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