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FILED NO. 1078

BOOK 133 PAGE 486

94 OCT 19 AM 10: 53

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

✓ M-0123

EASEMENT

REC \$ 5.00

AUD \$ _____

R.M.F. \$ 1.00

KNOW ALL MEN BY THESE PRESENTS:

Phyllis J. Fitzgarrald, 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:

The N $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa, EXCEPT Beginning at the NE corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 36, thence S85°09'30"W along the North line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 36, 782.80 feet; thence S00°00'00"W 633.93 feet; thence N90°00'00"E 780.00 feet to the East line of Madison County; thence North along said East line to the point of beginning.

and locally known as: 330th
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.

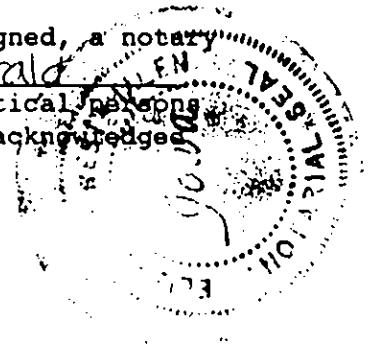
The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

IN WITNESS WHEREOF, the GRANTORS have executed this instrument this 26 day of September, 1994.

Phyllis J. Fitzgarrald
Phyllis J. Fitzgarrald

STATE OF IOWA, Johnson COUNTY, ss:

On this 26 day of September, 1994, before me the undersigned, a notary public in and for the State of Iowa appeared Phyllis J. Fitzgarrald 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.



Elizabeth Westphalen
Notary Public
My commission expires 10-3-96

IAPL [Redacted]

M-0123