

FILED NO. **2166**BOOK **126** PAGE **582**

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EASEMENT

Fee \$10.00

MARY E. WELBY
RECORDER
MADISON COUNTY, IOWA

Walter L. Schaffer and Helen M. Schaffer, husband and wife, hereinafter called "Grantors", in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, do hereby grant to the City of St. Charles, Iowa, hereinafter called "Grantee", and to its successors or assigns, the perpetual right and easement over, under and across the following-described real estate in Madison County, Iowa, to-wit:

An easement twenty (20) feet in width located in the East Half ($\frac{1}{2}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Twenty-two (22), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, lying westerly of the now-abandoned right-of-way of the Chicago and North Western Transportation Company, southerly of Madison County Road G50, and exclusive of public road right-of-way, with said easement being centered on the following-described line: Commencing at the centerline of Madison County Road G50 at Station 497+46 on Madison County Project SN-299 (1968) with said tangent of Madison County Road G50 having assumed a bearing of South 67 degrees 44 minutes West as determined by the easement for public highway as recorded in Farm Book No. 97, Page 482, on February 3, 1969, with said station point being referred to as the point of beginning; thence South 22 degrees 16 minutes East, a distance of approximately 300 feet to the middle line of an unnamed branch of Clanton Creek, with said middle line also being on the North line of the tract purchased by the City of St. Charles for its municipal well field,

together with the right of ingress and egress over and across said easement area for the purpose of operating, repairing and maintaining a water transmission line and an electric power line upon, under and across said easement area.

The Grantors warrant and covenant to the Grantee that they are the owner of the real estate upon which said easement area is situated, that said real estate is free and clear of liens and encumbrances; and that they have full right and authority to validly grant this easement, and the Grantee may quietly enjoy its estate in the premises.

Grantors covenant that no act will be permitted within the easement area which is inconsistent with the rights hereby granted; and no buildings or structures will be erected upon said easement area, and that the present grade or ground level thereof will not be changed by excavation or filling. This easement shall run with the land and bind and inure to the benefit of the heirs, successors and assigns of the parties.

Dated: 4-30 1990, 1990.

GRANTORS:

Walter L. Schaffer
Walter L. Schaffer
Helen M. Schaffer
Helen M. Schaffer

STATE OF IOWA :
:ss
MADISON COUNTY:

On this 30 day of April, 1990, before me, the undersigned, a Notary Public in and for said State, personally appeared Walter L. Schaffer and Helen M. Schaffer, to me personally known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Diane M. Daniels
Notary Public in and for the State of Iowa

