EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Virgil N. Smith, 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 s ½ of the NW¼ of Section 27, Township 76N, Range 26 W of the 5th P.M.
Madison County, Iowa

IND. ✓
REC. ✓
PAGE ✓

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MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

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 17th day of November, 1989.

X Virgil N. Smith

Virgil N. Smith

STATE OF IOWA, Madison COUNTY, ss:

On this 17th day of November, 1989, before me the undersigned, a notary public in and for the State of Iowa appeared Virgil N. Smith 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.

SHERRY A. TOLLEY
MY COMMISSION EXPIRES
August 9, 1990

Sherry A. Tolley
Notary Public