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LISA SMITH, COUNTY RECORDER
MADISON IOWA

THIS DOCUMENT PREPARED BY: Warren Water District, Inc. 1204 E. 2nd Ave. Indianola, IA 50125 515-962-1200
RETURN TO: CLAIRE PATIN, PO BOX 215, INDIANOLA, IA 50125 515-961-2594

EASEMENT

KNOW ALL MEN BY THESE PRESENT:

BLUEBIRD PROPERTIES LLC

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:

Bluebird Estates Subdivision
See Attached Page 2

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. In addition, if the Easement area, as described herein, does not abut the nearest public road right-of-way, the Easement area shall extend to the nearest public road right-of-way line. 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 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 WHERE OF, the GRANTORS have executed this instrument this 30th day of September, 2008.

BLUEBIRD PROPERTIES
BY David R. Krog

STATE OF IOWA, ss:

On this 30 day of September, 2008 before me the undersigned, a notary public in and for State of Iowa, appeared David R. Krog to me personally known, who being by me duly sworn, did say that they are a member of Bluebird Properties LLC, an Iowa limited liability company, executing the foregoing instrument, that the instrument was signed on behalf of the limited liability company by authority of the limited liability company; and the member acknowledged the execution of the instrument to be the voluntary act and deed of the limited liability company, by it and by them voluntarily executed.

LORI KEECH
NOTARIAL SEAL - STATE OF IOWA
COMMISSION NUMBER 167401
MY COMMISSION EXPIRES 11-10-2010

Lori Keech
NOTARY PUBLIC

DESCRIPTION

Parcel D and Parcel C recorded in Book 2003, Page 1241, Madison County Recorder's Office, Madison County, Iowa, located in the Southwest Quarter of the Northwest Quarter and part of the Northwest Quarter of the Southwest Quarter of Section 5, and Government Lot 4 and part of Government Lot 7, of Section 6, Township 77 North, Range 26 West of the Fifth Principal Meridian, Madison County, Iowa, described as follows:

Beginning at the northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 5; thence on an assumed bearing of North 83 degrees 21 minutes 45 seconds East along the northerly line of said Southwest Quarter of the Northwest Quarter and the northerly line of said Parcel D and Parcel C 1080.94 feet to the northeast corner of said Parcel C and the centerline of a Madison County Highway; thence South 02 degrees 09 minutes 23 seconds West along the easterly line of said Parcel C and said centerline 1296.40 feet; thence southeasterly 68.67 feet along said easterly line and said centerline and a non-tangential curve concave to the northeast, said curve has a radius of 191.00 feet, a central angle of 20 degrees 35 minutes 54 seconds, a chord 68.30 feet in length bearing South 06 degrees 41 minutes 36 seconds East; thence southeasterly 267.99 feet along said easterly line and said centerline and a non-tangential curve concave to the northeast, said curve has a radius of 191.00 feet, a central angle of 80 degrees 23 minutes 31 seconds, a chord 246.54 feet in length bearing of South 57 degrees 21 minutes 47 seconds East to the southeast corner of said Parcel C; thence South 80 degrees 42 minutes 27 seconds West along the southerly line of said Parcel C and Parcel D and the centerline of a Madison County Highway 1275.80 feet; thence South 80 degrees 45 minutes 48 seconds West along said southerly line and said centerline 661.20 feet to the east line of the West 40 rods of said Government Lot 7; thence North 00 degrees 48 minutes 33 seconds East 296.00 feet along said east line to the southerly line of said Government Lot 4; thence South 83 degrees 17 minutes 10 seconds West along said southerly line 665.73 feet to the southwest corner of said Government Lot 4; thence North 00 degrees 48 minutes 33 seconds East along the westerly line of said Government Lot 4 a distance of 1310.68 feet to the northwest corner of said Government Lot 4; thence North 83 degrees 15 minutes 36 seconds East along the northerly line of said Government Lot 4 a distance of 1318.78 feet to the northwest corner of the Southwest Quarter of the Northwest Quarter of said Section 5 and the point of beginning.

Said tract contains 81.35 acres and is subject to a Madison County Highway Easement over the southerly and easterly 2.55 acres thereof.