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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

THIS DOCUMENT PREPARED BY: Warren Water District, 1204 E. 2nd Ave. Indianola, IA 50125 515-962-1200  
RETURN TO: Claire Patin, P.O. Box 215, Indianola, IA 50125 515-961-2574

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

**Scott E. Palmer and Kimberly J. Palmer,**

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, at any time, to erect, construct, install, lay and thereafter use, operate, inspect, repair, maintain, replace and remove one or more water pipelines and appurtenances thereto, over, across and through the land of the GRANTORS situated in Madison County, Iowa, being more specifically described as follows:

See Page 2

3248 305<sup>th</sup> Ln.

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 granted herein shall be 32 feet in width (except for during construction and removal of the water pipelines, the Easement shall be expanded to 50 feet in width), the centerline of which shall be measured from the center point of the first water pipeline and the necessary appurtenances thereto constructed by GRANTEE. In addition, if the easement area, as described herein, does not abut the nearest public road right-of-way, the easement area shall be expanded to extend to the nearest public road right-of-way line.

It is agreed that crop damage will be paid by the GRANTEE; however, in no case shall GRANTEE be required to pay more than a single, total crop loss in any one crop year. Crop damage will equal the price for the destroyed or damaged crop x yield per acre x acreage damaged or destroyed.

GRANTEE, its successors and assigns, hereby promise to maintain such water pipelines and any necessary appurtenances in good repair so that damage, if any, to the real estate of GRANTORS, 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 28 day of January, 2011.

Scott E. Palmer

Kimberly J. Palmer

STATE OF IOWA, ss:

This instrument was acknowledged before me on January 28, 2011 by Scott E. Palmer and Kimberly J. Palmer.



NOTARY PUBLIC

Parcel "C" located in the Southwest Quarter (1/4) of the Northeast Quarter (1/4) and the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Fourteen (14), in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 4.859 acres, as shown in Plat of Survey filed in Book 2003, Page 1407 on March 13, 2003, in the Office of the Recorder of Madison County, Iowa.

**AND**

The Southwest Quarter (1/4) of the Southeast Quarter (1/4) and the Southeast Quarter (1/4) of the Southwest Quarter (1/4) of Section Fourteen (14), in Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, except a tract of land in the Southeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section 14 described as follows: Beginning at the Southwest corner of the Southeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section 14; thence on an assumed bearing of North 00°00'00" East along the West line of said Southeast Quarter (1/4) of the Southwest Quarter (1/4) 243.35 feet; thence North 88°38'10" East 589.08 feet; thence South 00°00'00" East 223.36 feet to the South line of said Southeast Quarter (1/4) of the Southwest Quarter (1/4); thence South 86°41'40" West along said South line 589.89 feet to the Southwest corner of said Southeast Quarter (1/4) of the Southwest Quarter (1/4) and the point of beginning. Said excepted tract contains 3.15 acres,

**AND**

The Northeast Quarter (1/4) of the Southwest Quarter (1/4), EXCEPT the following two tracts:

The South 14 Rods of the West 6 Rods thereof,

AND EXCEPT Parcel "B" in the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of Section Fourteen (14), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the Southwest corner of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of Section Fourteen (14), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, thence along the West line of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), North 00°00'00", 231.00 feet to the point of beginning; thence North 86°41'40" East, 100.00 feet; thence North 00°00'00", 100.00 feet; thence South 86°41'40" West, 100.00 feet; thence South 00°00'00", 100.00 feet to the point of beginning. Said Parcel "B" contains 0.229 acres;

And also the South Five (5) acres of the Southwest Quarter (1/4) of the Northeast Quarter (1/4) and the Northwest Quarter (1/4) of the Southeast Quarter (1/4);

All of the above being in Section Fourteen (14), Township Seventy-four (74) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa.