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BOOK 121 PAGE 269

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E A S E M E N T

Completed

MARY E. WELTY  
RECORDER  
MADISON COUNTY, IOWA  
Fee \$20.00

KNOW ALL MEN BY THESE PRESENTS:

George Mueller, a single person (hereinafter referred to as the Grantor), is the owner of real estate legally described as follows:

The North one-half of the Southwest one-quarter of Section 2, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa;

and in consideration of One Hundred Dollars (\$100.00), receipt of which is hereby acknowledged, said Grantor does hereby sell, grant and convey unto Jack O. Kennedy and Roberta M. Kennedy, as joint tenants with full rights of survivorship and not as tenants in common (hereinafter referred to as the Grantees), a permanent easement upon, under, through and across the following described real estate:

A 20 foot wide well and water line easement being 10 feet wide on both sides of the following described center line:

Commencing at the Northwest corner of a tract of real estate described as the East 648.5 feet of the West 1573.5 feet of the South One-half of the Southwest One-Quarter of Section 2, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, thence North 90°00'00" East 322.78 feet, along the north line of said tract of land to the point of beginning, thence North 00°08'15" East 141.63 feet, thence North 37°27'34" West 15.85 feet, thence North 75°03'23" West 136.62 feet, thence North 59°22'23" West 26.97 feet, thence North 18°53'35" West 25.38 feet, thence North 04°06'22" West 106.36 feet, thence North 44°39'45" West 66.14 feet to the existing well on subject easement area and also including 25 foot diameter circle around said existing well.

That said easement is granted unto Jack O. Kennedy and Roberta M. Kennedy for the purpose of the construction, installation and maintenance of a water well with attendant pump or pumps and related equipment together with underground water lines and underground electrical lines for the purpose of furnishing water to the property owned by the Grantees herein on property owned by

them south of said easement area, such property owned by the Grantees being hereinafter described.

In connection herewith, it is specifically agreed that by this easement, Grantees shall have the right to enter upon said easement area as shall be necessary to drill, redrill, construct, reconstruct, inspect, repair, operate and maintain and service said well and any and all of said lines, improvements and all appurtenances thereto, together with the right to use and operate said improvements as Grantees deem necessary.

Said easement hereby granted by said Grantor to the Grantees herein shall be perpetual and shall inure to the Grantees, their heirs and assigns for use in connection with adjoining real estate legally described as follows:

A parcel of real estate commencing at the Southwest corner of Section 2, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, thence East along the south line of said Section 2, 925.0 feet to the point of beginning; thence North 1326.9 feet; thence East 648.5 feet along the North line of the South one-half of the Southwest one-quarter of said Section 2; thence South 1323.9 feet to the south line of said Section 2; thence West 648.5 feet along the south line of said Section 2 to the point of beginning, containing 19.732 acres and situated in the South one-half of the Southwest one-quarter of Section 2, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa;

and

A parcel of real estate commencing at the Northwest corner of Section 11, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence East along the North line of said Section 11, 925.0 feet to the point of beginning; thence East 355.0 feet along the north line of said Section 11; thence South 246.5 feet to the centerline of a county road; thence Westerly 178.1 feet along a 2083.6 foot radius curve concave Northwesterly and having a central angle of  $4^{\circ}53.88'$ ; thence South  $86^{\circ}45'$  West 177.9 feet along the centerline of county road; thence North 296.8 feet to the point of beginning, containing 2.235 acres including 0.511 acres of County Road Right-of-Way and situated in the Northwest one-quarter of the Northwest one-quarter of Section 11, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa;

Grantees, their heirs or assigns, by acceptance of this easement, hereby agree to be responsible for all improvements

placed upon said easement area by Grantees or their heirs or assigns or their agents and to hold Grantor harmless and indemnify Grantor from any and all activities of Grantees or their agents in or on said easement area or any improvements placed thereon.

It is also agreed by the Grantees in acceptance of this easement from Grantor herein that Grantor is not responsible for the quality and quantity of water produced from said well.


That attached hereto and by this reference made a part of this easement agreement, is a plat of the survey for well and water line made by Charles T. Vance of Vance & Hochstetler, P.C., Consulting Engineers, dated August 16, 1988, which plat locates all of said easement area except for the 25 feet diameter around the existing well.

Dated this 26th day of September, 1988.

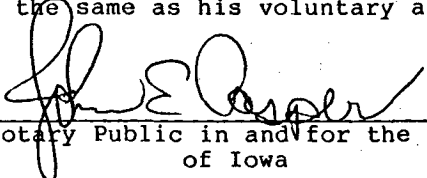
  
\_\_\_\_\_  
GEORGE MUELLER

STATE OF IOWA        )  
                          ) SS.  
COUNTY OF MADISON )

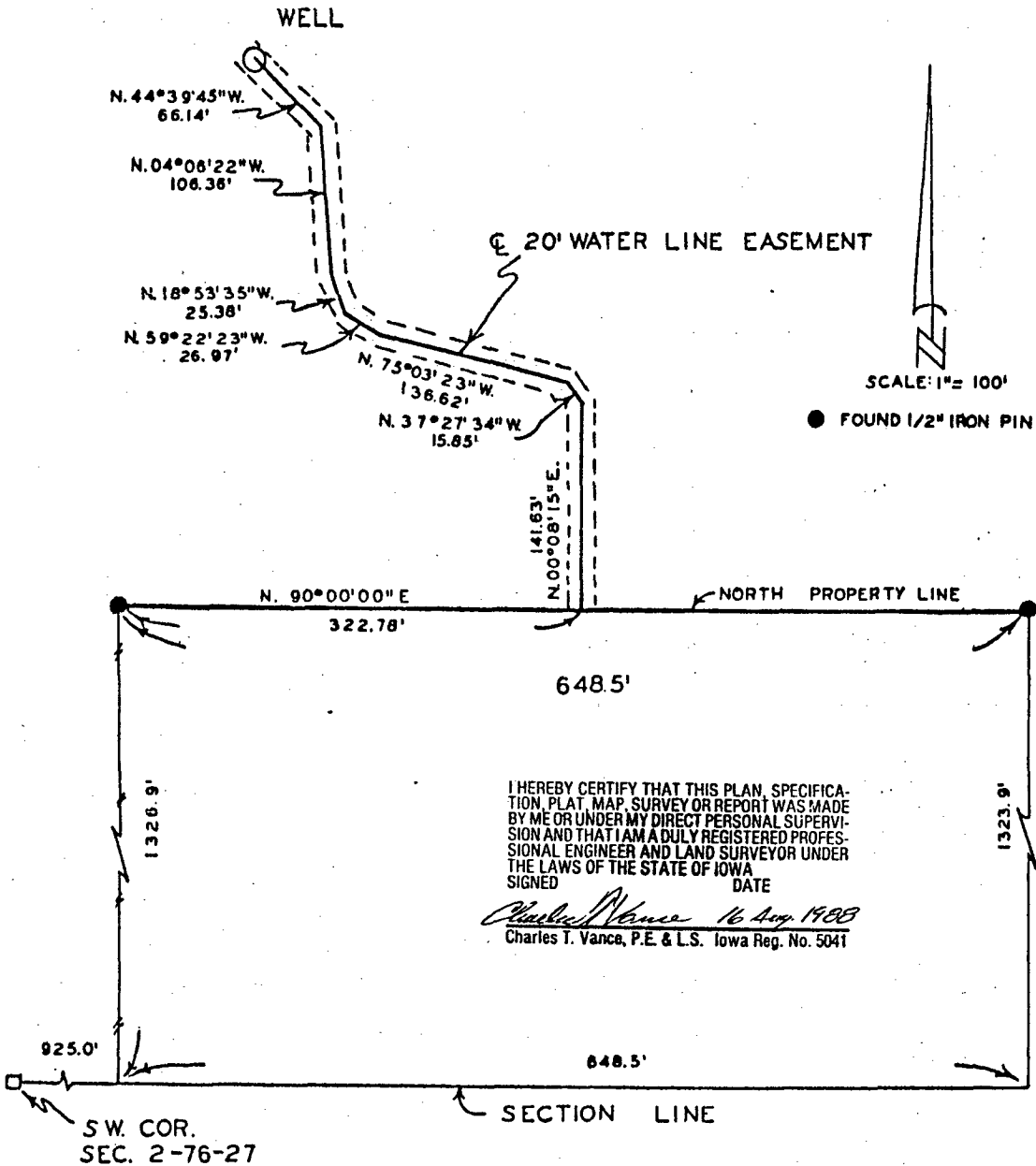
On this 26th day of September, 1988, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared George Mueller, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

 JOHN E. CASPER  
NOTARY PUBLIC  
September 7, 1989

John E. Casper

  
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Notary Public in and for the State  
of Iowa

PLAT OF SURVEY FOR WELL AND WATER LINE EASEMENT FOR JACK KENNEDY  
 IN THE SW.¼ OF THE SECTION 2, T76N, R27W OF THE 5TH.P.M.,  
 MADISON COUNTY, IOWA.



DEED DESCRIPTION:

The East 648.5 feet of the West 1,573.5 feet of the South One-Half of the Southwest One-Quarter of Section 2, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa.

EASEMENT DESCRIPTION:

A 20 feet wide Well and water line easement being 10 feet wide on both sides of the following described centerline:  
 Commencing at the Northwest Corner of the above described tract of land; thence North 90°00'00" East 322.78 feet, along the north line of said tract of land, to the point of beginning. Thence North 00°08'15" East 141.63 feet; thence North 37°27'34" West 15.85 feet; thence North 75°03'23" West 136.62 feet; thence North 59°22'23" West 26.97 feet; thence North 18°53'35" West 25.38 feet; thence North 04°06'22" West 106.36 feet; thence North 44°39'45" West 66.14 feet to the termination of said easement at the Well.

VANCE & HOCHSTETLER, P.C.  
 CONSULTING ENGINEERS  
 71 JEFFERSON  
 WINTERSET TOWA 50273