

COMPUTER

FILED NO. 109

BOOK 121 PAGE 445

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WATER LINE EASEMENT

Compared

IND. REC. PAGE

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee \$15.00

KNOW ALL MEN BY THESE PRESENCE:

The undersigned owner, Union State Bank, hereafter called the Grantor, in consideration of the sum of one dollar and other valuable considerations, receipt of which is acknowledged, does hereby grant to the City of Winterset, Iowa, hereafter called the Grantee, the perpetual right and easement to construct, repair, maintain, operate, inspect, patrol and remove lines for the transmission and supply of water, with all necessary equipment and appurtenances as may be reasonably necessary for the convenient construction, repair, maintenance, operation, inspection, patrolling and removal of said water line over, along, across and under the following described property situated in Madison County, Iowa, to-wit:

A 20 foot wide water main easement located in the South Half of the Southwest Fractional Quarter of Section 30, Township 76 North, Range 27 West of the 5th Principal Meridian, City of Winterset, Madison County, Iowa, more particularly described as follows:

Beginning at the Southeast corner of Lot 5 of Helen McCall Huntoon Addition Plat No. 2 to the City of Winterset, Iowa; thence South 89°57'16" East 526.28 feet; thence South 30°00'00" East 213.58 feet to the Northeast corner of Lot 3 of Helen McCall Huntoon Addition Plat No. 3; thence along the Northerly line of said Lot 3 South 55°38'00" West 20.06 feet; thence North 30°00'00" West 203.57 feet; thence North 89°57'16" West 514.56 feet to the East line of Helen McCall Huntoon Addition Plat No. 2' thence along said East line North 00°28'16" West 20.00 feet to the Point of Beginning.

The Grantors warrant and covenant to the Grantee that, subject to liens and encumbrances of record at the date of this easement, it is the owner of the above described land and has full right and authority to validly grant this easement, and the Grantee may quietly enjoy its estate in the premises.

Grantee is give the right to trim, cut and clear away any trees, limbs and brush, whether located on the above described easement property or adjacent to or overhanging the same, and the right to remove from the above described easement property any obstruction, including inflammable materials, brush, structures of any kind or other obstructions wherever in its judgment such will interfere with or endanger the construction, operation or

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maintenance of this waterline; and to renew, replace, and to otherwise change the line or any part thereof and all appurtenances thereto and the location thereof within the easement property; and to pass along the easement property to and from adjoining lands and to have reasonable access to this property from Grantors adjoining lands.

In consideration of such grant, Grantee agrees it will repair or pay for any damage which may be caused to crops, fences or other property of the undersigned by the construction, operation, maintenance, inspection, patrolling or removal of this line.

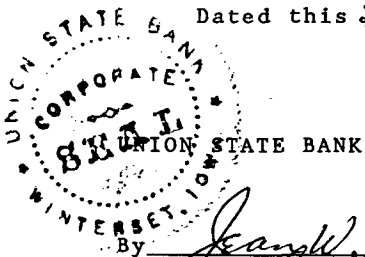
The Grantors covenant that no act will be permitted within the easement property which is inconsistent with the rights hereby granted; that no buildings or structures will be erected upon said property and that the present grade or ground level thereof will not be changed by excavation or filling.

This Agreement shall run with the land and bind and inure to the benefit of the heirs, successors and assigns of the parties.

Dated this 20th day of March, 1988 *mym*

Grantee: CITY OF WINTERSET, IOWA

By Robert A. Howell
Robert Howell, Mayor



By Jean W. Lange
Chairman of Board

STATE OF IOWA)
) SS
MADISON COUNTY)

On this 28th day of March, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared Jean W. Lange, C.D.B. and _____ respectively, of said corporation; ~~(no seal has been procured by the said)~~ (that the seal affixed thereto is the seal of said) corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and that the said Jean W. Lange, C.D.B. and _____ as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.



Jeannie M. Utsler
Notary Public

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STATE OF IOWA)
) SS
MADISON COUNTY)

On this 20th day of March, A.D. 1989, before me, Lorraine Kile, a Notary Public in and for said County and State, personally appeared Robert W. Howell to me personally known, who, being by me duly sworn, did say that he is the Mayor of the City of Winterset, Iowa; that the seal affixed thereto is the seal of said corporation; and that said instrument was signed and sealed on behalf of said corporation, by authority of its City Council, as contained in the Resolution adopted by the City Council, of the City Council on the 20th day of March, 1989, and that Robert W. Howell acknowledged the execution of the instrument to be his voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.



Lorraine Kile
Madison County, Iowa Notary Public