

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Boyd Nagel and Phyllis Nagel, husband and wife

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:

Lot Two (2) of Hogue Subdivision; an official plat of the  
Southwest Quarter ( $\frac{1}{4}$ ) of the Southeast Quarter ( $\frac{1}{4}$ ) and the North  
Half ( $\frac{1}{2}$ ) of the Southeast Quarter ( $\frac{1}{4}$ ) of the Southeast Quarter  
( $\frac{1}{4}$ ), of Section Twelve (12), in Township Seventy-six (76) North,  
Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa,

and locally known as: (882 295th)  
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 12<sup>th</sup>  
day of Sept., 1989.

Boyd Nagel  
Phyllis Nagel

FILED NO. **1026**

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89 NOV 15 AM 8:36

STATE OF IOWA, Madison County, ss:

On this 12<sup>th</sup> day of Sept., 1989, before me the  
undersigned, a notary public in and for the State of Iowa appeared  
Boyd & Phyllis Nagel  
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.

MARY E. WELTY  
RECORDER  
MADISON COUNTY, IOWA  
to me Fee \$5.00

Peggy Crabbs  
Notary Public

