

Compare FILED NO. **1029**  
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89 NOV 15 AM 8:39

MARY E. WELTY  
RECORDER  
MADISON COUNTY, IOWA

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Fee \$5.00

Max L. Oswalt and Anna E. Oswalt, 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:

North Fr. 1/2 SE 1/4; and SE Fr. 1/4 SE 1/4 of Section 13, Township 77 North, Range 26, W 5th P.M., except the South 389.00 feet of the West 560.00 feet, measured as a parallelogram, of the SW 1/4 SE 1/4 (as fenced) of Section 13, Township 77 North, Range 26 West of the 5th P.M., Madison County, Iowa containing 5.00 acres, more or less, and except that part of the SE 1/4 SE 1/4 of Section 13, Township 77 North, Range 26 West of the 5th P.M., all in Madison County, Iowa described as follows: Beginning from the Highway Intersection forming the SE corner of said Section 13, thence S 82° 40' 20" W distant 357.90 feet; thence N 00° 00' 00" E distant 389.00 feet; thence N 82° 40' 20" E distant 357.90 feet; thence S 00° 00' 00" W distant 389.90 feet to the point of beginning, containing 3.17 acres, more or less, situated in Madison County, Iowa,

and locally known as:

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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 8th day of Nov, 19 89.

Max L. Oswalt Mrs Anna E. Oswalt

STATE OF IOWA, MADISON COUNTY, ss:

On this 8th day of Nov, 19 89, before me the undersigned, a notary public in and for the State of Iowa appeared to me Max L. Oswalt & Anna E. Oswalt 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.



Peggy Crabbs  
Notary Public