



Document 2012 2979

Book 2012 Page 2979 Type 06 001 Pages 2
Date 10/04/2012 Time 10:56 AM
Rec Amt \$12.00

INDX ✓
ANNO
SCAN
CHEK

LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

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

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

David A. Sullivan and Kathleen E. Sullivan,

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

Also known as: 2430 Millstream Ave.

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 6th day of August 2012.

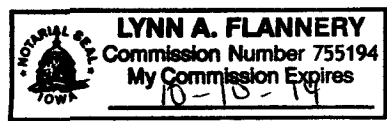
David A. Sullivan
David A. Sullivan

Kathleen E. Sullivan
Kathleen E. Sullivan

STATE OF IOWA, ss:

This instrument was acknowledged before me on Aug 6, 2012 by David A. Sullivan and Kathleen E. Sullivan.

Lynn A. Flannery
NOTARY PUBLIC



A tract of land described as commencing at the West Quarter ($\frac{1}{4}$) corner of Section Seventeen (17), in Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P. M., Madison County, Iowa, thence North 985.95 feet along the section line to the point of beginning, thence continuing North 374.55 feet, thence South 89° 30' East 418.7 feet, thence South 374.55 feet, thence North 89° 30' West 418.7 feet to the point of beginning, containing 3.6 acres including 0.3783 acres of county road right-of-way,