STORM SEWER EASEMENT

Charles Norman & Lena May Howard of Winterset, Iowa, hereinafter called the Grantor, grants unto the City of Winterset, Iowa hereinafter called the Grantee, the temporary and perpetual right and easement, as indicated, to construct, install, repair, maintain and operate a storm sewer upon the real estate legally described as:

PERMANENT EASEMENT

A permanent easement for storm sewer construction and maintenance across the north half of Lots 1 and 2, Block 4, Jenkins Addition to Winterset, Iowa described as beginning at a point that is 55.0 feet south of the northeast corner of said Lot 1, thence southwesterly to a point that is 66.0 feet south of the northwest corner of said Lot 2, thence east 132.0 feet, thence north 11.0 feet to the point of beginning.

TEMPORARY EASEMENT

A temporary easement for storm sewer construction across the north half of Lots 1 and 2, Block 4, Jenkins Addition to Winterset, Iowa, described as beginning at a point that is 45.0 feet south of the northeast corner of said Lot 1, thence southwesterly to a point that is 57.0 feet south of the northwest corner of said Lot 2, thence south 9.0 feet, thence east 132.0 feet, thence north 21.0 feet to the point of beginning.

This grant includes the right to enter upon the premises above described in order to construct said storm sewer.

In consideration of this grant, Grantee agrees to pay Grantor the sum of One Dollar (1.00), receipt of which Grantor hereby acknowledges. Grantee further agrees that it will repair or pay for any damage which may be caused to fences or other property of the Grantor by the construction, operation, or maintenance of this storm sewer line.

Wherever the surface of the easement property is disturbed by the actions of the Grantee, either at the present time or in the future at such times as Grantee may exercise its rights in connection with the easement property, the Grantee will be responsible for seeding, or if necessary in the judgment of the Grantee, sodding the easement property.

Grantee is given the right to trim, cut and clear away any trees, limbs, and brush, whether located on the above described easement property or hanging over the same, and the right to remove from the above described easement property any brush or other obstructions which will interfere with or endanger the construction, operation, or maintenance of this storm sewer and to have reasonable access to this storm sewer line from Grantor's abutting lands in the event other reasonable access is unavailable.

Compared

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BOOK 119 PAGE 441

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3pgs.

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee 15.00

This grant of easement shall run with the land and bind the heirs, successors, and assigns of the parties hereto.

The Grantor covenants with Grantee that it is the owner of the above described real estate and has the full right and authority to validly grant this easement in order that the Grantee may quietly enjoy the easement premises.

IN WITNESS HEREOF, the Grantor and Grantee have executed this instrument at the place and on the date hereinafter set forth.

GRANTOR

By Charles Norman Howard

By Lena May Howard

CITY OF WINTERSET, IOWA GRANTEE

By Bernard Morrissey
Bernard Morrissey, Mayor

By Mark Nitchals
Mark Nitchals, Clerk

STATE OF ~~IOWA~~ TEXAS

SS

HIDALGO COUNTY

ON THIS 30th DAY OF January, 1985, before me, a Notary Public in and for the State, personally appeared Charles Norman Howard, and Lena May Howard

to me known to be the identical person or persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed for the purposes therein set forth.

Olga Saenz, Olga Saenz

Notary Public in and for ~~IOWA~~ Hidalgo

OLGA SAENZ, NOTARY PUBLIC
IN AND FOR HIDALGO CO., TEXAS
MY COMMISSION EXPIRES 11-29-86

STATE OF IOWA

SS

MADISON COUNTY

On the 15 day of April, 1985, before me a Notary Public in and for said State, personally appeared Bernard Morrissey and Mark J. Nitchals, who being duly sworn on oath did depose and state that they are the Mayor and Clerk, respectively, of the City of Winterset, Madison County Iowa, and that said instrument was signed on behalf of said City by authority of the Council; and that the said Bernard Morrissey and Mark Nitchals acknowledged the execution of said instrument to be the voluntary act and deed of the said City of Winterset, Madison County, Iowa, by it and by them voluntarily executed.

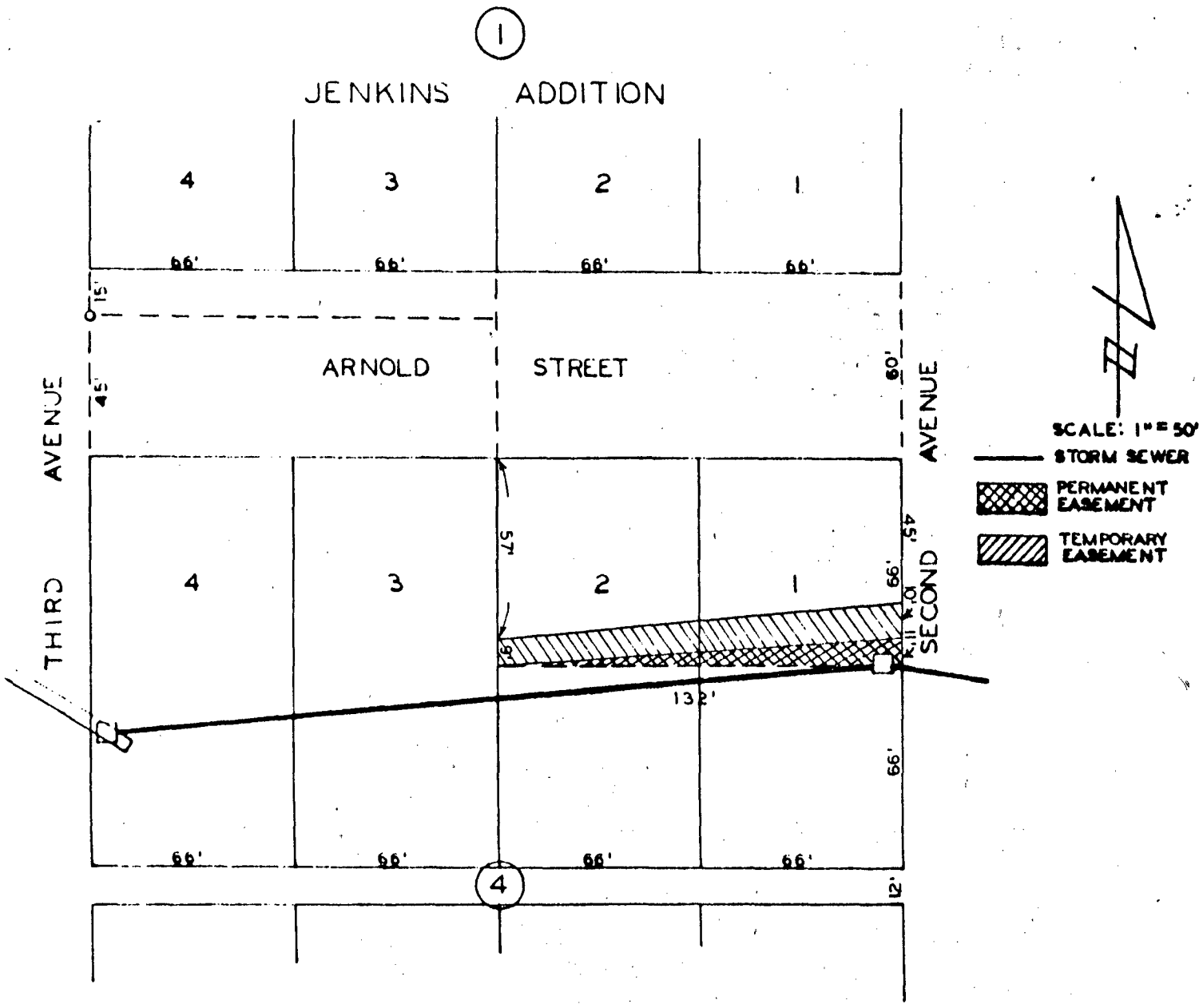
Lorraine Kile

Notary Public in and for Iowa

LORRAINE KILE

PLAT OF AN EASEMENT FOR STORM SEWER CONSTRUCTION AND MAINTENANCE ACROSS THE NORTH HALF OF LOTS 1 AND 2, BLOCK 4, JENKINS ADDITION TO WINTERSET, IOWA.

OWNED BY: CHARLES NORMAN & LENA MAY HOWARD



EASEMENT DESCRIPTIONS:

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