IND. ✓
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FILED NO. 937
BOOK 112 PAGE 38
1976 NOV 17 PM 2:11
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Fee
6.50

EASEMENT AGREEMENT

We, Harry B. Watts and Patrick F. Corkrean, the undersigned, hereinafter referred to as Grantors, in consideration of the prospective benefits to be served by reason of the construction and operation of a certain sanitary sewer line on the premises described, do hereby grant and convey to the City of Winterset, Madison County, Iowa, hereinafter referred to as the Grantee, its successors and assigns, the perpetual right to locate, construct, operate and maintain its sanitary sewer lines consiting of gravity sanitary sewer and force main upon and under the real estate legally described in Exhibit "A" attached hereto and incorporated herein.

This grant shall include the right of access by Grantee to these premises in order to construct, operate and maintain the sanitary sewer lines thereon.

The Grantee shall pay to Grantor reasonable damages suffered to growing crops on these premises.

In the event of repairs or other maintenance to the sanitary sewer line, the Grantee shall restore the surface of the premises to its condition prior to the maintenance and shall pay Grantor for reasonable damages suffered to growing crops and fences.

This right granted by this Agreement shall run with the Grantor's real estate and the title thereto and be binding on their heirs, personal representatives, executors and assigns.

The Grantee agrees to hold harmless the Grantor from all liability for personal injury and property damage to third parties arising out of the Grantee's negligence occurring upon these premises and to indemnify the Grantor for the damages attributable to the same.

Grantees agree to install up to ten (10) T-Connections to the sewer line, the location of which will be determined at the time of construction as may be mutually agreed upon between Grantor and Grantee and to be paid for by Grantee.

IN WITNESS WHEREOF we have hereunto set our hands this 26 day of October, 1976.

Approved November 15, 1976.

CITY OF WINTERSET, IOWA, GRANTEE

Grantors

Harry B. Watts

By _____
Mayor of the City of Winterset, Iowa

Helen Watts

_____
Clerk of the City of Winterset, Iowa

Patrick F. Corkrean

Nancy Corkrean

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

STATE OF IOWA, MADISON COUNTY, ss:

On this 26 day of October, A. D. 19 76, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Harry B. Watts, Helen Watts, Patrick F. Corkrean and Nancy Corkrean

to me known to be the identical persons named in and who executed the within and foregoing instrument, to which this is attached, and acknowledged that they executed the same as their voluntary act and deed.

C. R. Bentz, Notary Public in and for said County

IOWA STATE BAR ASSOCIATION
Official Form No. 11 (Trade-Mark Registered, State of Iowa, 1957)
D-6944 This Printing: January 11, 1967

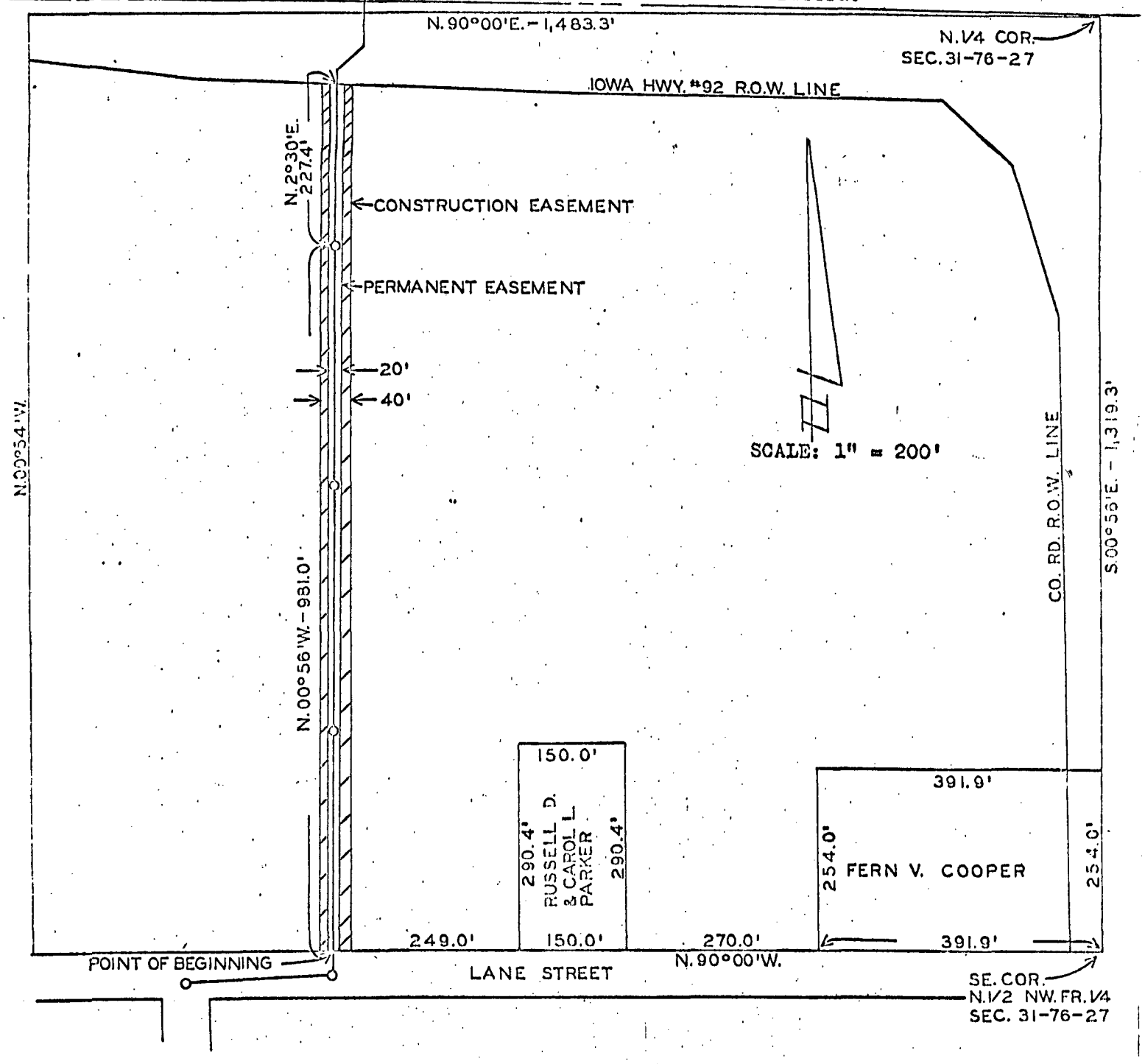
(Section 558.39, Code of Iowa)

EXHIBIT "A"

HELEN McCALL HUNTOON - Contract Purchasers - Harry Watts & Pat Corkrean

PROPERTY DESCRIPTION:

The East 45.52 Acres of the North Half of the Northwest Fractional Quarter of Section 31, Township 76 North, Range 27 West of the 5th P.M., Winterset, Madison County, Iowa excluding the South 254.0 feet of the East 391.9 feet of said East 45.52 Acres, a parcel of land described as commencing at the SE. Corner of the N½ of said NW. Fr.¼ thence N.90°00'W. 661.9 feet; thence N.00°56'W. 290.4 feet; thence N.90°00'W. 150.0 feet; thence S.00°56'E. 290.4 feet; thence N.90°00'E. to Point of Beginning and Iowa Highway No. 92 and County Road easements of record:



EASEMENT DESCRIPTION:

A permanent easement 20 feet wide and a construction easement 40 feet wide being 10 feet and 20 feet respectively either side of the following described centerline: commencing at the Southeast corner of the North Half (N½) of the Northwest Fractional Quarter (NW.Fr.¼) of Section 31, Township 76 North, Range 27 West of the 5th P.M., Winterset, Madison County, Iowa; thence N.90°00'W. along South line of said North Half (N½) of the Northwest Fractional Quarter (NW.Fr.¼) 1,060.9 feet to Point of Beginning; thence N.00°56'W. 981.0 feet; thence N.2°30'E. 227.4 feet to the South Right-of-Way line of Iowa Highway No. 92.