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1979 DEC 27 PM 4:44

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Fee 6.00

EASEMENT

For Sanitary Sewer

This Agreement is made in the City of St. Charles, Iowa on December 3, 1979 by Stephen & Suzanne Reineck husband and wife, Grantors and the City of St. Charles, Iowa, Grantee.

WHEREAS, Dale E. Kephart and Connie K. Kephart are presently in the process of platting certain real estate to be known as Kephart's Addition to St. Charles, Iowa, Plat No. 2, and

WHEREAS, The City of St. Charles, Iowa, has directed that the Sanitary Sewer system installed in said platted addition be connected with the City's existing Sanitary Sewer system, and

WHEREAS, Grantors are the owners of certain real estate through which the required connection of the City's Sanitary Sewer system with the Sanitary Sewer system of Kephart's Addition to St. Charles, Iowa, Plat No. 2 can be made, and

WHEREAS, Grantors desire to assist Grantee in its attempt to connect the Sanitary Sewer systems of the City of St. Charles, Iowa, and Kephart's Addition to St. Charles, Iowa, Plat No. 2.

BE IT AGREED that Grantors hereby grant a permanent and perpetual easement to the City of St. Charles, Iowa, to run with the land, as follows:

A permanent and perpetual easement for installation and maintenance of a Sanitary Sewer line being 20.00 feet in width 10.00 feet either side of the following described centerline; Commencing at the SW corner of the NW¼ of Section 24, Township 75 North, Range 26 West of the 5th P.M., St. Charles, Madison County, Iowa, thence N.0°00' along the west line of said NW¼ 399.12 feet to the point of beginning; Thence N. 84°42'E. 120.00 feet to the end of said easement.

Except as herein granted, Grantors shall continue to have the full use and enjoyment of the real estate immediately above described.

Grantee shall bear full responsibility for the use and enjoyment of the easement herein granted and shall hold Grantors harmless from any claim of damages to person or premises resulting from Grantee's use, occupancy and possession of said easement.

IN WITNESS WHEREOF, Grantors and Grantee have duly executed this agreement.

GRANTORS

Stephen Reineck

Suzanne Reineck

GRANTEE

Lloyd E. Benedict, Mayor of the City of St. Charles, Madison County, Iowa.

ATTEST:

Janet Lea Downs, City Clerk of the City of St. Charles, Madison County, Iowa.

STATE OF IOWA
) SS
MADISON COUNTY

On this 3 day of December, 1979, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Stephen and Suzanne Lemrick to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Janet Lea Downs
Notary Public in and for the State of Iowa

STATE OF IOWA
) SS
MADISON COUNTY

On this 4 day of December, 1979, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Lloyd E. Benedict and Janet Lea Downs, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk respectively of St. Charles, Iowa; that said instrument was signed on behalf of St. Charles, Iowa, and that said Lloyd E. Benedict and Janet Lea Downs acknowledged the execution of said instrument to be the voluntary act and deed of St. Charles, Iowa, by it and by them voluntarily executed.

Carolyn H. Austin
Notary Public in and for the State of Iowa

CAROLYN H. AUSTIN