RAILROAD EASEMENT

THIS EASEMENT made this 14 day of April, A.D., 1971, by and between the CITY OF WINTERSET, IOWA, a municipal corporation of the State of Iowa, hereinafter referred to as Grantor, and CHICAGO, ROCK ISLAND AND PACIFIC RAILROAD COMPANY, a Delaware corporation, hereinafter referred to as Grantee.

W I T N E S S E T H:

That for and in consideration of the sum of TEN AND 00/100 ($10.00) DOLLARS, the receipt of which is hereby acknowledged, Grantor does by these presents grant unto said Grantee, its successors and assigns, a perpetual easement 12 feet on either side of the centerlines of the existing railroad tracks for railroad right-of-way and for the purpose of maintaining and using the existing railroad tracks, on, over and across the following described premises:

> All that part of Lots 3 and 4 in Block 5 in the Original Plat of Winterset, Madison County, Iowa, described as follows:
>
> Beginning at a point on the west line of said Lot 4, said point being 15 feet south of the centerline of the Chicago, Rock Island and Pacific Railroad Company's main track; thence south along the west line of said Lot 4, 105 feet, more or less, to the southwest corner thereof; thence east along the south line of said Lots 3 and 4, 115 feet; thence north at right angles 105 feet, more or less, to a point 15 feet south of the centerline of said main track; thence west at right angles 115 feet to the point of beginning.

IN WITNESS WHEREOF, the Grantor herein has executed this agreement as of the day and year first above written.

ATTEST:

O.D. Simmons
Secretary, Board of Trustees

CITY OF WINTERSET, IOWA

By H.F. IlgenFritz
Chairman, Board of Trustees
Electric Light and Power Plant & Waterworks

STATE OF IOWA)
) SS
COUNTY OF MADISON)

On this 5th day of May, A.D., 1971, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared H.F.IlgenFritz and O.D. Simmons 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.

GRACE E. MILLS NOTARIAL SEAL

My Commission Expires:

Grace E. Mills
Notary Public in and for the State of Iowa

GRACE E. MILLS, Notary Public
In and for Madison County, Iowa

COMPARED

719

FILED NO. 719
BOOK 44 PAGE 298
1971 MAY 24 PM 2:04
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

IND ✓
REC. ✓
PAGE ✓

Fee $1.50