Deed Record, No. 91, Madison County, Iowa

FIDLAR & CHAMBERS CO., DAVENPORT, IOWA 84101

Bernard E. Morrissey et al
To
City of Winterset, Iowa

#3211

Fee $3.50 VJS

Filed for record the 31 day of July A. D. 1961 at 4:55 o'clock P. M.

Mary E. Welty, Recorder

GRANT OF EASEMENTS

We, Bernard E. Morrissey and Madolyn A. Morrissey, his wife, and Lloyd B. Callison and Hazel D. Callison, husband and wife, all of the County of Madison, State of Iowa, for and in consideration of One Dollar and other good and valuable consideration, do hereby give and grant to the grantee herein, City of Winterset, Iowa, a municipal corporation, a city under the laws of Iowa, to be exercised at any time it may see fit, the following: a permanent easement and right of way to enter upon the real estate hereinafter described, and construct and lay and maintain and repair and replace an underground sewer main in and through the real estate hereinafter described, such sewer main to be a 10-inch main in diameter size, and to be laid at such depth under the surface of the ground as may be desired by said grantee, City of Winterset, Iowa; and, also, a permanent easement and right of way to enter upon and construct and maintain and repair and replace a line or lines for the transmission of electric current in and through the real estate hereinafter described, either on poles or other structures above ground, or by underground conduits, which easement and right of way includes the right of said City of Winterset, Iowa, to use, or permit to be used, such poles or other structures above ground, or underground conduits, for telephone wires, lines or cables; and, also, a permanent easement and right of way to enter upon and construct and lay and maintain and repair and replace a water main, of such diameter size as the grantee may desire, in and through the real estate hereinafter described; and, also, a permanent easement and right of way to enter upon and construct and lay and maintain and repair and replace a storm sewer, of such diameter size as said grantee may consider proper, in and through the real estate hereinafter described.

Such easements include the right to excavate and refill ditches or trenches for the location of underground mains or pipes or tiles or lines or conduits, which refilling shall be done so as to leave the surface of the ground in substantially as good condition as before the excavation, and include the right to remove trees, bushes, undergrowth or other obstructions interfering with the exercise of rights under this instrument. The grantors release all claims for damages from the exercise of rights under this instrument, except damages to growing crops.

The real estate in which the said easements and rights of way are given and granted is the West 25 feet of the West 33 feet of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 36, Township 76 North, Range 28 West of the 5th P. M., except the North two rods thereof, and said Bernard E. Morrissey, with his wife joining, and said Lloyd B. Callison and Hazel D. Callison, husband and wife, give and grant the easements and rights of way in and through the parts of said real estate owned by them, respectively. The said easements and rights of way may be exercised in the full length, north and south, of said tract, and in such place or places within said 25 foot strip, as may be considered proper by said grantee.

Part of the consideration for said grant of easements and rights of way is the grant by said City of Winterset, Iowa, to said Bernard E. Morrissey, or his successors in interest, of the right to make four connections to said sewer main, without any charge therefor to be made by said City of Winterset, Iowa, except the regular inspection charge of said City which may apply at the time of connection, and the grant by said City to said Lloyd B. Callison and Hazel D. Callison, or their successors in interest, of the right to make four connections to said sewer main, without any charge therefor to be made by said City, except the regular inspection charge of said City which may apply at the time of the connection, and the locations of such connections shall be selected by the parties entitled

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to such connections.

Dated the 20th day of August, 1959.

Bernard E. Morrissey
(Bernard E. Morrissey)
Madolyn A. Morrissey
(Madolyn A. Morrissey)

Lloyd B. Callison
(Lloyd B. Callison)
Hazel D. Callison
(Hazel D. Callison)

State of Iowa, Madison County, SS:

On this 20th day of August, 1959, before me, a Notary Public in and for Madison County, Iowa, personally appeared Lloyd B. Callison and Hazel D. Callison, husband and wife to me known to be the persons named in and who executed the above instrument, and acknowledged that they executed the same as their voluntary act and deed.

(NOTARIAL SEAL)

Marguerite Gallery Notary Public
in and for Madison County, Iowa

State of Iowa, Madison County, ss:

On this 21st day of August, 1959, before me, a Notary Public in and for Madison County, Iowa, personally appeared Bernard E. Morrissey and Madolyn A. Morrissey, husband and wife, to me known to be the persons named in and who executed the above instrument,acknowledged that they executed the same as their voluntary act and deed.

NOTARIAL SEAL

Marguerite Gallery Notary Public
in and for Madison County, Iowa.