

LISA SMITH, COUNTY RECORDER
MADISON IOWATHIS DOCUMENT PREPARED BY: Warren Water District, 1204 E. 2nd Ave. Indianola, Iowa 50125 515-962-1200
RETURN TO: Claire Patin, P.O. Box 215, Indianola, Iowa 50125 515-961-2594

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Thomas D. Cunningham, Neva R. Cunningham and Kristen J. Miller

hereinafter referred to as GRANTORS, in consideration of One Dollar and Other Valuable consideration, hereby grant and convey unto Warren Water District, hereinafter referred to as GRANTEE, its successors and assigns a perpetual easement with the right to erect, construct, install, lay and thereafter use, operate inspect, repair, maintain, replace and remove waterlines and appurtenances thereto, over, across and through the land of the GRANTORS situated in Madison County, Iowa, being more specifically described as follows:

Parcel "C" of the Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 5, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa, as shown in the Plat of Survey filed on April 3, 2002, in Book 2002, Page 1578 of the Recorder's office of Madison County, Iowa

2985 Settlers Trl.

together with the right of ingress and egress over the adjacent lands of the GRANTORS, their successors and assigns, for the purposes of this easement.

The Easement shall be 32 feet in width, the centerline of which shall be the water pipeline and the necessary appurtenances thereto. It is agreed that crop damage will be paid by the GRANTEE. The GRANTEE, its successors and assigns, hereby promise to maintain such water pipeline and any necessary appurtenances in good repair so that damage to adjacent real estate of GRANTORS, if any damage there be, will be kept to a minimum. In the future if any repairs have to be made on our waterline, we will pay for any crop damages, repair any fences, and clean up any damages done to the property.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

IN WITNESS WHERE OF, the GRANTORS have executed this instrument this 21st day of April, 2008.

Thomas D. Cunningham Neva R. Cunningham Kristen J. Miller
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STATE OF IOWA, ss:

On this 21st day of April, 2008, before me the undersigned, a notary public in and for State of Iowa appeared Thomas D. Cunningham, Neva R. Cunningham and Kristin J. Miller known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed and same as their voluntary act and deed.

Diane M. Daniels
Notary Public

