

Lincoln 74

REC \$ 10⁰⁰
AUD \$ 10⁰⁰
R.M.F. \$ 10⁰⁰
COMPUTER ✓
RECORDED ✓
COMPARED

David L. Jungmann, P.C., 113 W. Iowa, P.O. Box 329, Greenfield, IA 50849 Phone #515-743-6195
(FHA Approved)

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2000 DEC -6 AM 11:28

MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

LIMITED EASEMENT

RE:

See attached Exhibit "A"

The Undersigned, as Owner (s) of record of the real estate described above, for One Dollar and other good and valuable consideration received, hereby grant(s), sell(s), transfers) and convey(s) to Southern Iowa Rural Water Association (the "Association") , its successors and assigns, an affirmative and perpetual easement in, to, and running with the real estate described above, together with a general and perpetual right of ingress and egress upon such real estate and upon any adjacent lands of Owner(s), LIMITED AS FOLLOWS:

1. This easement is solely for the general purposes of construction and laying and there- after using, operating, inspecting, maintaining, repairing, replacing or removing water pipeline and any necessary appurtenances thereto over, across and through the real estate described above; and

2. Once such water pipeline and any necessary appurtenances thereto are installed and operating, then this easement (except the general rights of ingress and egress) shall be automatically reduced in scope to a width of thirty feet, the centerline of which shall be the water pipeline and any necessary appurtenances thereto.

It is agreed that, during the period of initial construction, no crop damage will be paid by the Association. After completion of the project, if repair work on water line is needed, crop damages will be paid. The Association, 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 Owner(s), if any damage there be, will be kept to a minimum.

Executed this 17 day of August 2000.

X Busch Family Trust
Charles M. Thomas
Power of Attorney
CHARLES M. THOMAS

X Wanda Busch Thomas
WANDA BUSCH THOMAS

GRANTOR(S)

STATE OF IOWA)
 Polk)Ss:
COUNTY OF MADISON

On this 17 day of August, 2000, before me, the undersigned, a Notary Public in and for the aforesaid County and State, personally appeared: Charles M. Thomas, POA, and Wanda Busch Thomas, wife, to me known to be the same and identical persons who executed the within and foregoing instrument, and acknowledged that the person, as the fiduciary, executed the instrument as the voluntary act and deed of the person and of the fiduciary.

[Signature]
NOTARY PUBLIC IN AND FOR SAID COUNTY AND SAID STATE
JAMES R. DILLMAN
MY COMMISSION EXPIRES
12/07/02

Exhibit "A"

The Northwest Quarter ($\frac{1}{4}$), and the West Half ($\frac{1}{2}$) of the Northeast Quarter ($\frac{1}{4}$), and a tract of land commencing at the Northwest corner of the Northeast Quarter ($\frac{1}{4}$) of the Northeast Quarter ($\frac{1}{4}$) and running thence East on the section line 16 chains, thence South 2.80 chains, thence South, $78\frac{1}{2}^{\circ}$ West, 3.32 chains, thence North, $41\frac{1}{2}^{\circ}$ West, 2.49 chains, thence South, 70° West, 2.50 chains, thence South, 33° West, 8.53 chains, thence South 10.25 chains to the South line of said 40-acre tract, thence West 4 chains to the Southwest corner thereof, thence North to the place of beginning, all in Section Twenty (20), in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, containing 252.73 acres, more or less, according to Government Survey; subject to the rights of the public in all highways.

A tract of land commencing at the Southwest corner of the Southwest Quarter ($SW\frac{1}{4}$) and running thence East 20 chains, thence North 78 rods to the center of Middle River, thence up said river to a point 6 chains and 50 links due West, thence South 16 chains and 20 links, thence West to the West line of said Southwest Quarter ($SW\frac{1}{4}$), thence South to the place of beginning; and the East Half ($E\frac{1}{2}$) of the Southwest Quarter ($SW\frac{1}{4}$) except a tract commencing at the Northwest corner thereof and running thence South 88 rods, thence North 45° East 38 rods and 9 links, thence North $22\frac{1}{2}^{\circ}$ West 19 rods, thence North $59\frac{1}{2}^{\circ}$ East 34 rods, thence North 28° East 36 rods and 13 links to the North line of said tract, thence West to the place of beginning; and the South Three-fourths ($S\frac{3}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$); and all of the Southeast Quarter ($SE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) lying South and West of the center of Middle River; and the West One-half ($W\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) except a tract commencing at a point in the center of Middle River where it intersects the East line of said tract, thence up said river 8 rods and 21 links, thence North 70 rods, thence East 8 rods and 21 links, thence South to the place of beginning, containing 299 acres more or less, all in Section Seventeen (17), all of the above described land being in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

Commencing at the Southeast corner of Section Seventeen (17) in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and running thence North to a point 20 rods South of the Northeast corner of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of said Section Seventeen (17), thence West 80 rods, thence South on a line parallel with the East line of said Section until it intersects the center of the channel of Middle River, thence down the center of the channel of Middle River until it intersects the section line, thence East on said section line to the place of beginning; also, commencing on the line between the East and West halves of the Southeast Quarter ($SE\frac{1}{4}$) of said Section Seventeen (17), at a rock planted in the ground, thence West 8 rods and 21 links, thence South 70 rods to the center of the channel of Middle River, thence East 8 rods and 21 links, thence North 70 rods to the place of beginning, containing 3.50 acres, more or less.
