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This Document Prepared By: Security Abstract & Title Co. Inc., 114 N. 1st Ave., Winterset, Iowa 50273 Telephone: 515-462-1691

FILED NO. \_\_\_\_\_

EASEMENT

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BOOK 2001 PAGE 349

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KNOW ALL MEN BY THESE PRESENTS:

Thomas P. Murphy and Cathy Murphy,

hereinafter referred to as GRANTORS, in consideration of One Dollar and Other Valuable Consideration, hereby grant and convey unto Warren Water, Inc., 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:

NICKI UTSLER  
RECORDER  
MADISON COUNTY, IOWA

REC \$ 5<sup>00</sup>  
AUD \$  
R.M.F. \$ 1<sup>00</sup>

Parcel "C", located in the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southeast corner of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of Section 32, Township 77 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence North 0° 04' 59" West along the East line of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of said Section Thirty-two (32), 702.32 feet; thence South 89° 47' 45" West 985.21 feet; thence South 0° 00' 05" West 703.77 feet to a point on the South line of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of said Section Thirty-two (32); thence North 89° 42' 43" East along the South line of the Northeast Quarter (1/4) of the Northeast Quarter (1/4) of said Section Thirty-two (32) which is an existing fenceline, 986.26 feet to the Point of Beginning. Said Parcel contains 15.909 acres, including 0.628 acres of County Road right-of-way,

and locally known as:

1525 Old Portland

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, during the period of initial construction, no 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.

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 WHEREOF, the GRANTORS have executed this instrument this 2 day of JANUARY, 2001.

Thomas P. Murphy  
Thomas P. Murphy

Cathy D. Murphy  
Cathy Murphy

Thomas P. Murphy

Cathy D. Murphy

M6-0337

STATE OF IOWA, MADISON COUNTY, ss:

On this 2<sup>nd</sup> day of January, 2001, before me the undersigned, a notary public in and for the State of Iowa appeared to me Thomas P. Murphy and Cathy D. Murphy

known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Leif G. Clemens  
Notary Public

