

REC \$ 15⁰⁰
AUD \$ 1⁰⁰
R.M.F. \$ 5⁰⁰

FILED NO. 647
BOOK 2004 PAGE 647

COMPUTER	✓
RECORDED	✓
COMPARED	✓

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MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

This Document Prepared By: Security Abstract & Title Co., Inc., 114 N. 1st Ave., Winterset, Iowa 50273 Telephone: 515-462-1691
Return to: Warren Water, Inc., 1204 E. 2nd St., Indianola, IA 50125 Telephone: 515-962-1200

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

M. Lucile Smith,
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:

See attached Exhibit "A"

and locally known as: _____
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 1st
day of December, 2004.

S. James Smith POA
M. Lucile Smith

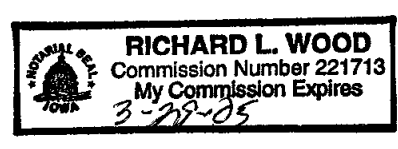
M7-0530

STATE OF IOWA, Madison COUNTY, ss:

On this 1st day of December, 2003, before me the undersigned, a notary public in and for the State of Iowa appeared to me James Smith

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.

Richard L. Wood
Notary Public



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Exhibit "A"

Commencing at the Southwest (SW) Corner of Section Thirty-four (34) Township Seventy-seven (77) North of Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, thence N 00°00'00" 422.49 feet along the West line of the Southwest Quarter (SW1/4) of said Section Thirty-four (34) to the point of beginning, thence continuing North 00°00'00" 275.51 feet along said West line; thence South 89°21'54" E 200.28 feet; thence South 00°49'39" W 275.50 feet; thence North 89°21'48" W 196.30 feet to the point of beginning. Said tract contains 1.25 acres including 0.21 acres of county road right-of-way, and, Beginning at the Southwest Corner of Section Thirty-four (34) Township Seventy-seven (77) North of Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 89°32'06" E 355.39 feet along the South line of the Southwest Quarter (SW1/4) of said Section Thirty-four (34), thence North 00°11'00" W 415.68 feet; thence North 89°21'48" 354.07 feet South 00°00'00" 422.49 feet to the point of beginning, said second excepted tract contains 3.41 acres including 0.1 acres of county road right-of-way.

STATE OF IOWA, Madison COUNTY, IOWA, SS:

On this 1st day of December, 2003, before me, the undersigned a Notary Public in and for the state of Iowa, personally appeared S. James Smith as attorney in fact, and acknowledged the execution of the instrument to be the voluntary act and deed by him voluntarily executed.

Richard Wood
Notary Public

