

FILED NO. 003519BOOK 2001 PAGE 3519

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R.M.F. \$ 1.00COMPUTER ☒
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RECORDER
MADISON COUNTY, IOWA

This document prepared by: Warren Water District, 1204 E. 2nd Ave., Indianola, IA 50125 1-515-962-1200

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Birds' Nest of Holland, L. L. C.

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:

The Southeast Quarter (1/4) of the Northwest Quarter (1/4) and the Northeast Quarter (1/4) of the Southwest Quarter (1/4) and the South Three-fourths (3/4) of the East Half (1/2) of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Seventeen (17) in Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P. M., Madison County, Iowa, except Parcel "A" located in the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section Seventeen (17), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows: Beginning at the Southwest corner of the Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) of Section Seventeen (17), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P. M., Madison County, Iowa; thence along the West line of said Northeast Quarter (NE 1/4) of the Southwest Quarter (SW 1/4) North 01°26'20" West 135.15 feet; thence North 84°44'00" East 982.94 feet; thence North 66°36'23" East 130.88 feet; thence South 21°08'12" East 182.53 feet to the South line of said Northeast Quarter (1/4) of the Southwest Quarter (SW 1/4); thence, along said South line, South 84°44'00" West 1,166.26 feet to the Point of Beginning. Said Parcel "A" contains 3.601 acres, including 0.879 acres of county road right-of-way,

and locally known as: 187th

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, ⁶⁶no 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 24 day of June, 2001.

Bird's Nest of Holland
by H. A. Carver
Bird's Nest of Holland, L. L. C.

M6-0422

STATE OF IOWA, ss:

On this 25th day of June, 2001 before me, the undersigned a Notary Public, personally appeared H. A. Carver to me personally known, who being by me duly sworn, did say that they are the manager of Bird's Nest of Holland, an Iowa limited liability company, executing the foregoing instrument, that the instrument was signed on behalf of the limited liability company by authority of the limited liability company; and the manager acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

PEGGY N. CRABBS
MY COMMISSION EXPIRESPeggy N. Crabbs
NOTARY PUBLIC