

FILED NO. 003535BOOK 2001 PAGE 3535

2001 AUG 10 PM 1:39

REC \$ 10.00
AUD \$ 1.00
R.M.F. \$ 1.00COMPUTER ☒
INDEXED ☒
COMPARED ☒MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

THIS DOCUMENT PREPARED BY: Claire B. Patin, Attorney at law, 106 E. Salem, Indianola, IA 50125 515-961-2574

EASEMENT

KNOW ALL MEN BY THESE PRESENT:

BRUCE L. KEMPKE

hereinafter referred to as GRANTOR^s, in consideration of One Dollar and Other Valuable consideration, hereby grants and conveys 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 GRANTOR^s situated in Madison County, Iowa, being more specifically described as follows:

Parcel "A", located in the Southeast Quarter of the Southeast Quarter of Section 10, and the Northeast Quarter of the Northeast Quarter of Section 15, Township 77 North, Range 28 West of the 5th P. M., Madison County, Iowa, more particularly described as follows: Beginning at the Southeast corner of the Northeast Quarter of the Northeast Quarter of Section 15, Township 77 North, Range 28 West of the 5th P. M., Madison County, Iowa; thence North 0°00'00" East, 852.83 feet along the East line of the Northeast Quarter of the Northeast Quarter of said Section 15; thence North 89°30'33" West, 439.52 feet; thence North 0°44'55" West, 761.26 feet along the projection of an existing fenceline; thence North 89°12'30" West, 859.82 feet to a point on the West line of the Southeast Quarter of the Southeast Quarter of Section 10, Township 77 North, Range 28 West of the 5th P. M., Madison County, Iowa; thence South 0°03'36" West 298.62 feet along an existing fenceline to the Northwest corner of the Northeast Quarter of the Northeast Quarter of said Section 15; thence South 0°20'53" East, 1319.93 feet along an existing fenceline to the Southwest corner of the Northeast Quarter of the Northeast Quarter of said Section 15; thence South 89°30'33" East, 1301.53 feet along an existing fenceline to the Point of Beginning. Said Parcel contains 40.674 acres, including 0.646 acres of County Road right-of-way,

1217 KIOWA AVE.

together with the right of ingress and egress over the adjacent lands of the GRANTOR^s, ^{his} ~~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.~~ ^{BK} THE GRANTEE SHALL NOT DAMAGE TREES, AND SHALL COMPLY WITH THE TERMS OF ITS LETTER TO THE GRANTOR DATED JUNE 22, 2001 (ATTACHED). ^{BK}

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 GRANTOR^s, 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 WHERE OF, the GRANTOR^s ^{has} ~~have~~ executed this instrument this 28 day of JUNE, 2001.

Bruce Kempkes
BRUCE KEMPKE

STATE OF IOWA, ss:

On this 28th day of June, 2001 before me the undersigned, a notary public in and for State of Iowa, appeared BRUCE L. KEMPKE to me 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.



Cathleen M. White
NOTARY PUBLIC