

REC \$ 10⁰⁰
AUD \$ 5⁰⁰
R.M.F. \$ 5⁰⁰

COMPUTER	✓
RECORDED	✓
COMPARED	✓

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This Document Prepared By: Security Abstract & Title Co, Inc., 114 N. 1st Ave., Winterset, Iowa 50273 Telephone: 515-462-4601
Return to: Warren Water, Inc., 1204 E. 2nd St., Indianola, IA 50125 Telephone: 515-962-1200

HICKLUTSLER
RECORDER
MADISON COUNTY, IOWA

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Robert L. Hester and Helen M. Hester, as Trustees of the Robert and Helen Hester Revocable Trust, dated January 9, 1997, 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 Exhibit "A" attached hereto,

and locally known as: Fieldstone Ave
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 8th
day of Sept, 2003.

Robert L. Hester
Robert L. Hester, Trustee

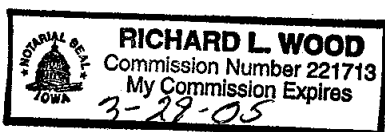
Helen M. Hester
Helen M. Hester, Trustee

M7-0179.

STATE OF IOWA, Madison COUNTY, ss:

On this 8th day of Sept, 2003 before me, the undersigned a Notary Public, personally appeared Robert Hester and Helen Hester to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they as trustees, executed the foregoing instrument as their voluntary act and deed.

Richard L. Wood
NOTARY PUBLIC



758-2450

Exhibit "A"
(Hester Trust)

The South 46.17 acres of the North 66.17 acres of the East half (1/2) of the Northeast Quarter (1/4) of Section One (1), in Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, excepting therefrom the following described tract, to-wit: Beginning at a point West 1321.3 feet, North 0° 28' West 362.3 feet and North 89° 32' East 33.0 feet of the Northeast corner of the Southeast Quarter (1/4) of said Section One (1), said point being on the East right-of-way line of a Madison County Secondary road, thence North 0° 28' West 75.0 feet, thence North 89° 32' East 100.0 feet, thence South 0° 28' East 75.0 feet, thence South 89° 32' West 100.0 feet to the point of beginning, containing 0.17 acres, more or less, and also excepting therefrom the following described tract, to-wit: Commencing at the Southeast Corner of the South 46.17 acres of the North 66.17 acres of the East Half (1/2) of the Northeast Quarter (1/4) of said Section One (1), thence North 858 feet, thence West 660 feet, thence South 858 feet, thence East 660 feet to the point of beginning, containing 13 acres, more or less, EXCEPT Parcel "A" located in the SE 1/4 of the NE 1/4 of Section 1, T77N, R29W of the 5th P.M., Madison County, Iowa located in and forming a part of the City of Earlham, Iowa more particularly described as follows: Commencing at the SW corner of the SE 1/4 of the NE 1/4 of Section 1, T77N, R29W of the 5th P.M., Madison County, Iowa; thence North 0°00'00" East along the West line of the SE 1/4 of the NE 1/4 of said Section 1, 488.88 feet to the point of beginning; thence South 89°26'23" East, 443.75 feet; thence North 00°05'48" West, 733.71 feet; thence South 88° 49' 17" East, 220.00 feet to a point in an existing fence; thence South 00° 05' 48" East along an existing fence, 856.34 feet; thence North 89° 26' 23" West, 530.92 feet; thence North 0°00'00" East 75.00 feet; thence North 89°26'23" West, 133.00 feet to a point on the West line of the SE 1/4 of the NE 1/4 of said Section 1; thence North 0°00'00" East along the West line of the SE 1/4 of the NE 1/4 of said Section 1, 50.00 feet to the point of beginning. Said parcel contains 5.374 acres, including 0.038 acres of county road right-of-way.