

REC \$ 5.00
AUD \$ 2.00
R.M.F. \$ 5.00

FILED NO. 6995
BOOK 2003 PAGE 6995
2003 NOV 24 PM 2:55

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RECORDED	✓
COMPARED	✓

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:

Eugene C. Binns Residuary Trust, Alberta Binns, 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:

North Fractional Half of the Northeast Quarter (N frl 1/2 NE 1/4) of Section Three (3), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.

and locally known as: 1609 Hogback
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.

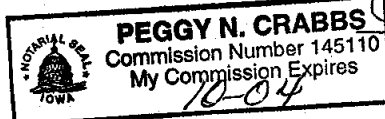
IN WITNESS WHEREOF, the GRANTORS have executed this instrument this 9th
day of October, 2003.

Emma Jan Bergman
Alberta Binns P/A

James W. Mease
Fargese Merchant State Bank
Co-Trustee

STATE OF IOWA, Warren County, ss:

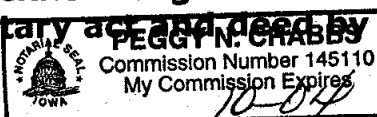
On this 9 day of Oct., 2003 before me, the undersigned a Notary Public, personally appeared James W. Mease and _____ to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they as trustees, executed the foregoing instrument as their voluntary act and deed.



Peggy Crabbs
NOTARY PUBLIC

STATE OF IOWA, Warren COUNTY, IOWA, SS:

On this 9th day of October, 2003, before me, the undersigned a Notary Public in and for the state of Iowa, personally appeared Emma Jan Bergman as attorney in fact, and acknowledged the execution of the instrument to be the voluntary act and deed by him voluntarily executed.



Peggy Crabbs
Notary Public