

REC \$ 10⁰⁰
AUD \$ 7⁰⁰
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: 515-452-1691
Return to: Warren Water, Inc., 1204 E. 2nd St., Indianola, IA 50125 Telephone: 515-962-1200
MICKI UTSLER
MADISON COUNTY, IOWA

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Dale A. Kirk and Angela J. Kirk,
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:

1721 Hogback Bridge Rd
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 22nd
day of Dec 2003

Dale A. Kirk
Dale A. Kirk

Angela J. Kirk
Angela J. Kirk

M7-0310

STATE OF IOWA, Madison COUNTY, ss:

On this 22nd day of December, 2003, before me the undersigned, a notary public in and for the State of Iowa appeared to me Dale A. Kirk, Angela J. Kirk
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.

Peggy N. Crabbs
Notary Public

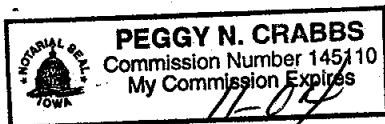


Exhibit "A"

A parcel of land in the East Half (1/2) of the Northeast Quarter (1/4) of Section Ten (10), and in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Eleven (11), all in Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows:

Beginning at the Northeast Corner of the Southeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Ten (10), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 89°41'46" East, 33.56 feet to the Centerline of a County Road; thence along said Centerline, South 35°12'30" East, 35.14 feet; thence South 22°16'21" East, 70.14 feet; thence South 11°14'32" East, 98.20 feet; thence 06°10'48" East, 418.03 feet; thence South 89°41'46" West, 355.47 feet; thence North 00°02'10" East, 724.96 feet; thence North 89°41'46" East 210.96 feet to the East line of Section Ten (10); thence South 00°14'29" West, 118.84 feet to the point of beginning EXCEPT the South 170 feet thereof.