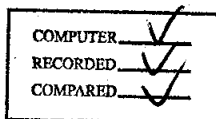


REC \$ 10⁰⁰
 AUD \$ 1⁰⁰
 R.M.F. \$ 5⁰⁰



FILED NO. _____

BOOK 2004 PAGE 289

2004 JAN 20 AM 11:19

MICKI UTSLER
 RECORDER

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: 515-952-1200

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Jerrie L. England,
 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: 2045-145th
 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, ~~any~~ 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 11th
 day of December, 2003.

Jerrie L. England
 Jerrie L. England

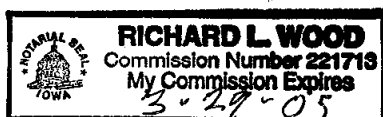
M7-0377

STATE OF IOWA, Madison COUNTY, ss:

On this 11th day of December, 2003, before me the undersigned, a notary public in and for the State of Iowa appeared to me

Jerrie L. England
 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.

Richard L. Wood
 Notary Public



462-7132

Exhibit A

The South Half (1/2) of the Northwest Quarter (1/4) of Section Twenty-six (26) in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, EXCEPT Lot 1, Bower Estates, Madison County, Iowa; EXCEPT Lot 2, Bower Estates, Madison County, Iowa; EXCEPT A parcel of land located in the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) and the Southeast Quarter (SE 1/4) of the Northwest Quarter (NW 1/4), all in Section Twenty-six (26), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, described as follows:

Commencing at the southwest corner of the Northwest Quarter (NW 1/4) of said Section Twenty-six (26), thence North 90 degrees 00 minutes 00 seconds East 797.00 feet on the south line of said Northwest Quarter (NW 1/4) to the Point of Beginning; thence North 00 degrees 00 minutes 00 seconds East, 566.34 feet; thence North 90 degrees 00 minutes 00 seconds East, 538.43 feet; thence South 00 degrees 00 minutes 00 seconds East, 566.34 feet to the south line of said Northwest Quarter (NW 1/4); thence North 90 degrees 00 minutes 00 seconds West, 538.43 feet on said south line to the Point of Beginning, containing 7.00 acres, more or less: EXCEPT the East 147 feet of West 797 feet of the South 107 feet of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty-six (26) in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.