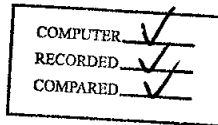


REC \$ 5⁰⁰
 ADD \$
 R.M.F. \$ 5⁰⁰



FILED NO. _____
 BOOK 2004 PAGE 285
 2004 JAN 20 AM 11:16

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

MICKLITSLER
 RECORDER
 MADISON COUNTY, IOWA

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

S. James Smith,
 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:

The North Half (1/2) of the Southwest Quarter (1/4) of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except a parcel of land located in the Northwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-eight (28) more particularly described as follows: Commencing at the Southeast Corner of the Northwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Thirty-two (32), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence along the South line of said Northwest Quarter (1/4) of the Southwest Quarter (1/4) South 90°00'00" West 9.00 feet to the Point of Beginning; thence North 00°00'00" 183.00 feet; thence South 90°00'00" West 295.80 feet; thence South 00°00'00" 183.00 feet to said South line of the Northwest Quarter (1/4) of the Southwest Quarter (1/4); thence along said South line North 90°00'00" East 295.80 feet to the Point of Beginning. Said parcel of land contains 1.243 acres, including 0.224 acres of county road right-of-way,

and locally known as: Heritage 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 10th
 day of December, 2003.

S. James Smith
 S. James Smith

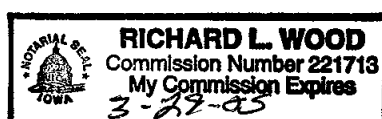
M7-0275

STATE OF IOWA, Madison COUNTY, ss:

On this 10th day of December, 2003, before me the undersigned, a notary public in and for the State of Iowa appeared to me S. James Smith

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



P15/20¹⁹