

REC \$ 10.00
AUD \$ 7.00
H.M.F. \$ 5.00

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COMPARED	✓

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HICKI 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:

Ronald L. Kirk and Ruth Ann 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: 1731 Hogback Bridge
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. For water pipeline only, no water towers.

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 20
day of November, 2003.

Ronald L. Kirk
Ronald L. Kirk

Ruth Ann Kirk
Ruth Ann Kirk

M7-0309

STATE OF IOWA, Warren COUNTY, ss:

On this 20 day of Nov., 2003, before me the undersigned, a notary public in and for the State of Iowa appeared to me Ronald L. Kirk
and Ruth Ann 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.



Lisa Dale
Notary Public

Exhibit "A"

The East Half (1/2) of the Southeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Ten (10), excepting therefrom the right of way and easement of the Chicago, Rock Island and Pacific Railroad Company located over and across said land, and except all that part thereof lying West of the Railroad, and the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Eleven (11), lying West of the Public Highway; and the Southeast Quarter (1/4) of the Southeast Quarter (1/4) of Section Three (3), excepting therefrom the right of way and easement of the Chicago, Rock Island and Pacific Railroad Company located over and across said land and except all that part thereof lying West of the Railroad, all in Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, and

All that part of the East half (1/2) of the East Half (1/2) of the Northeast Quarter (1/4) of Section Ten (10) lying east of the right of way of the Chicago, Rock Island and Pacific Railroad Company located over and across said land; all that part of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Eleven (11) lying West of the Public Highway; and, all that part of the Southeast Quarter (1/4) of the Southeast Quarter (1/4) of Section Three (3) lying east of the right of way of the Chicago, Rock Island and Pacific Railroad Company located over and across said land, all in Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa.