

REC \$ 15.00
AUD \$ 1.00
R.M.F. \$ 5.00

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COMPUTER	✓
RECORDED	✓
COMPARED	✓

2003 DEC 19 PM 12:59

NICKI VTSLER
RECORDER
JACKSON 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:

Neal Day, Marilyn Day and Wittern Realty, Inc., 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: 15th and
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 23rd
day of OCTOBER, 2003.

Neal Day
Neal Day

Marilyn Day
Marilyn Day

Wittern Realty Inc.
Wittern Realty Inc.

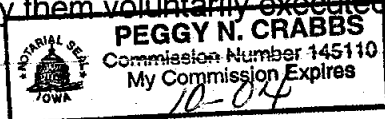
PRESIDENT

M7-0504

CORPORATE ACKNOWLEDGMENT

STATE OF Iowa, ss:

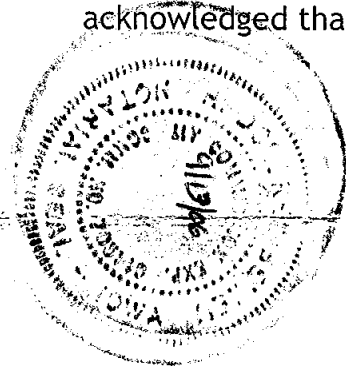
On this 23rd day of OCT, 2003, before me, the undersigned a Notary Public, personally appeared F. A. Wittern Jr. and _____ to me personally known, who being by me duly sworn, did say that they are the President and _____ respectively, of said corporation, that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and that the said President and _____ as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.



Peggy N. Crabbs
NOTARY PUBLIC

STATE OF IOWA, WARREN COUNTY, ss:

On this 23rd day of October, 2003, before me the undersigned,
a notary public in and for the State of Iowa appeared to me
Neal Day and Marilyn Day to me known to be the
identical persons name in and who executed the above and foregoing, and
acknowledged that they executed the same as their voluntary act and deed.



R Dolores Belieu
Notary Public

Exhibit "A"

The North Half (1/2) of the Southeast quarter (1/4) Section Thirty-five (35), in Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, except a tract described as follows: Beginning at the Center of said Section Thirty-five (35), thence North 90°00'00" East 312.86 feet along the North line of the Southeast Quarter (1/4) of said Section Thirty-five (35); thence South 00°20'43" West 319.51 feet; thence South 90°00'00" West 226.97 feet; thence South 00°20'43" West 357.68 feet; thence South 90°00'00" West 85.88 feet to the West line of the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of said Section Thirty-five (35); thence along said West line, North 00°20'43" East 677.19 feet to the point of beginning; said tract of land contains 3.000 Acres, including 0.323 Acres of County Road Right-of-Way,

and except Parcel "A", located in the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of said Section Thirty-five (35), more particularly described as follows: Commencing at the Center of the Section Thirty-five (35), Township Seventy-seven (77) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 90°00'00" East, 312.73 feet along the Northline the Northwest Quarter (1/4) of the Southeast Quarter (1/4) of said Section Thirty-five (35) to the Point of Beginning; thence North 90°00'00" East, 46.20 feet; thence South 2°02'58" West 265.80 feet; thence South 87°00'00" West, 38.36 feet; thence North 0°20'43" East, 267.65 feet to the Point of Beginning; said excepted parcel contains 0.259 acres, including 0.047 acres of County Road right-of-way.