

LISA SMITH, COUNTY RECORDER
MADISON IOWA

THIS DOCUMENT PREPARED BY: Warren Water District, Inc., 1204 E. 2nd Ave. Indianola, IA 50125 515-962-1200
RETURN TO: CLAIRE PATIN, PO BOX 215, INDIANOLA, IA 50125 515-961-2594

EASEMENT

KNOW ALL MEN BY THESE PRESENT:

LAND CONCEPTS LLC, DARR LAND DEVELOPMENT LLC

hereinafter referred to as GRANTORS, in consideration of One Dollar and Other Valuable consideration, hereby grant and convey unto Warren Water District, 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 Page 2 CLANTON CREEK CORNER 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. In addition, if the Easement area, as described herein, does not abut the nearest public road right-of-way, the Easement area shall extend to the nearest public road right-of-way line. It is agreed that 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 9 day of December, 2006.

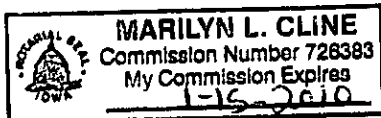
ROBERT DARR

STEVE BRUERE

STATE OF IOWA

COUNTY OF WARREN

On this 9 day of December, 2006, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Steve Bruere and Bob Darr, to me personally known, who being by me duly sworn, did say that they are a members of Land Concepts and Darr Land Development, an Iowa limited liability company, executing the foregoing instrument, that the instrument was signed on behalf of the limited liability company by authority of the limited liability company; and the members acknowledged the execution of the instrument to be the voluntary act and deed of the limited liability company, by it and by them voluntarily executed.



Marilyn L. Cline
Notary Public in the State of Iowa

DESCRIPTION

That part of the Southeast Quarter of the Southeast Quarter of Section 2, Township 75 North, Range 26 West of the 5th Principal Meridian, Madison County, Iowa:

described as COMMENCING at the southeast corner of said Section 2, said point being the POINT OF BEGINNING;

thence North $00^{\circ} 43' 15''$ West 536.40 feet along the east side of the Southeast Quarter of the Southeast Quarter of said Section 2;

thence South $43^{\circ} 35' 56''$ West 242.23 feet along the centerline of 230th Street right of way;

thence North $00^{\circ} 43' 43''$ West 936.55 feet;

thence South $84^{\circ} 34' 28''$ West 1140.01 feet along the north side of the Southeast Quarter of the Southeast Quarter of said Section 2;

thence South $00^{\circ} 40' 48''$ East 1314.67 feet along the west side of the Southeast Quarter of the Southeast Quarter of said Section 2;

thence North $84^{\circ} 31' 49''$ East 1310.96 feet along the south side of the Southeast Quarter of the Southeast Quarter of said Section 2 to the POINT OF BEGINNING;

said property contains approximately 36.07 acres, subject to road right of way and easements of record.

The east side of the Southeast Quarter of the Southeast Quarter of said Section 2 was assumed to bear North $00^{\circ} 43' 15''$ West.

SAID property was previously described as;

The Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Two (2), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., EXCEPT a parcel of land located in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of said Section Two (2), containing 3.333 acres, as shown in the Plat of Survey filed in Book 2, Page 386 on April 28, 1993 in the Office of the Recorder of Madison County, Iowa.