

Document 2007 3400

Book 2007 Page 3400 Type 06 001 Pages 4
Date 9/04/2007 Time 4:16 PM
Rec Amt \$22.00

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LISA SMITH, COUNTY RECORDER
MADISON IOWA

**WATER STORAGE EASEMENT
Recorder's Cover Sheet**

Preparer Information:

David Hellstern, 6600 Westown Pwky, Ste. 260, West Des Moines, (515) 727-0900

Taxpayer Information:

Brian and Lucinda Murphy
3079 325th Street
Truro, IA 50257

✓ **Return Address:**

David J. Hellstern
6600 Westown Parkway, Suite 260
West Des Moines, IA 50266-7724

Grantors:

Brian Murphy and Lucinda Murphy

Grantees:

Lawrence E. Reelitz and Dianne F. Reelitz

Legal Description: See page 2

Document or instrument number if applicable:

WATER STORAGE EASEMENT

1. Grant of Easement.

IN CONSIDERATION OF One Dollar (\$1.00) and other good and valuable consideration, Brian Murphy and Lucinda Murphy, husband and wife, do hereby convey to Lawrence E. Reelitz and Dianne F. Reelitz, husband and wife, and their heirs, successors and assigns, a permanent and perpetual easement and right-of-way for the purpose of **water storage**, including any or all appurtenances thereto, together with the right of ingress and egress, over, under, along and across certain real estate located in the Southwest Quarter of the Northeast Quarter of Section 28, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa, more particularly described as follows::

Commencing at the East Quarter corner of Section 28, Township 74 North, Range 26 West of the 5th P.M., Madison County, Iowa; thence South 86°00'11" West, 1305.07 feet to the Southeast corner of the Southwest Quarter of the Northeast Quarter of said Section 28; thence North 00°08'11" West, 910.00 feet along the East line of the Southwest Quarter of the Northeast Quarter of said Section 28 to the Easement Point of Beginning; thence North 62°21'13" West, 142.17 feet; thence North 17°21'14" West, 83.82 feet; thence South 87°43'50" East, 150.72 feet to a point on the East line of the Southwest Quarter of the Northeast Quarter of said Section 28; thence South 00°08'11" East, 140.00 feet along the East line of the Southwest Quarter of the Northeast Quarter to the Point of Beginning. Said Easement contains 0.34 acres (hereinafter the "Easement Area").

2. Use and Purpose of Easement.

This Easement shall be granted for the purpose of locating and maintaining surface water over and across the Easement Area and which permits and allows the Grantees to maintain said Easement and to use as much of the surface and sub-surface thereof

to forever maintain said easement whenever necessary, in the Grantees' sole discretion.

3. Damages.

Grantees shall be responsible for maintenance and/or upkeep of the land located within the Easement Area caused by water storage, including maintaining the grade and elevation thereof, however Grantees shall not be responsible for damages to any structures and/or other items placed or kept in the Easement Area.

4. Running of Benefits and Burdens.

The terms and conditions of this Easement are binding upon the Grantor including, but not limited to, future owners, developers, lessees or occupants. All provisions of this instrument, including benefits and burdens, run with the land and are binding upon and inure to the heirs, assigns, successors, tenants and personal representatives of the parties hereto.

5. Miscellaneous.

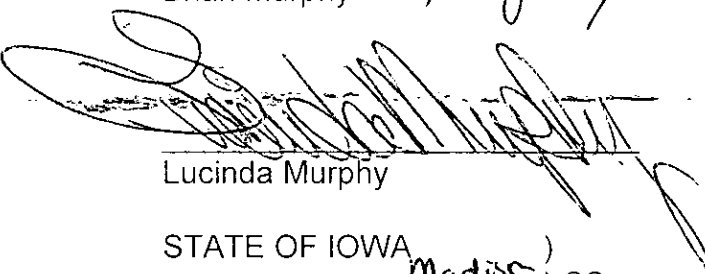
Grantors do HEREBY COVENANT with the Grantees that Grantors hold said real estate described in this Easement Area by title in fee simple; that Grantors have good and lawful authority to convey the same; and said Grantors covenant to WARRANT AND DEFEND the said Easement Area against the lawful claims of all persons whomsoever.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share, if any, in and to the interests conveyed by this Easement.

Dated this day of 29 August, 2007

Grantors

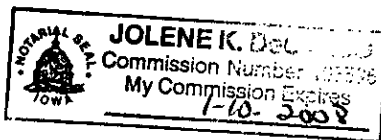

Brian Murphy


Lucinda Murphy

STATE OF IOWA)
COUNTY OF Madison) SS
~~Iowa~~

On this 29th day of August, 2007, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Brian and Lucinda Murphy, to me known to be the identical persons named in and who executed the foregoing instrument as their voluntary act and deed.

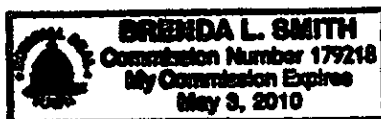
Subscribed and sworn to me this 29th day of August, 2007.



STATE OF IOWA)
COUNTY OF Polk) SS

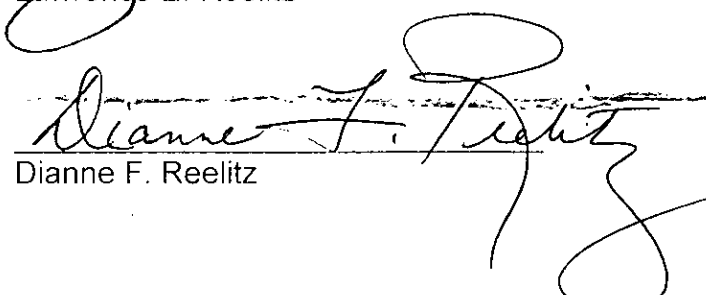
On this 29th day of August, 2007, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Lawrence and Dianne Reelitz, to me known to be the identical persons named in and who executed the foregoing instrument as their voluntary act and deed.

Subscribed and sworn to me this 29th day of August, 2007.



Grantees


Lawrence E. Reelitz


Dianne F. Reelitz


NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA


NOTARY PUBLIC IN AND FOR THE
STATE OF IOWA