

FILED NO. 634
 BOOK 140 PAGE 378

REC \$ 15⁰⁰
 AUD \$ 1⁰⁰
 R.M.F. \$ 1⁰⁰

COMPUTER ☒
 RECORDED ☒
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MICHELLE 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

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

James E. Van Werden and L. P. Van Werden,
 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: Cumming Rd @ Osage
 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, ☒ 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 22
 day of June, 1998.

James E. Van Werden
 James E. Van Werden

L. P. Van Werden
 L. P. Van Werden

M5-2,121

DALLAS
 STATE OF IOWA, MADISON COUNTY, ss:

On this 22nd day of June, 1998, before me the undersigned, a notary public in and for the State of Iowa appeared to me James E. Van Werden 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.



Barbara J. Keller
 Notary Public

M5-2121

STATE OF IOWA, CLARKE COUNTY, ss:

On this 23rd day of June, 1998, before me the undersigned, a Notary Public in and for said State and County, personally appeared, Lawrence P. Van Werden, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.



Rebecca S. Perry

Notary Public in and for the State of Iowa

45-2121

Exhibit "A"

A tract of land bounded by a line described as commencing at the Northwest corner of Section Twenty-one (21), Township Seventy-six (76) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; thence South along the Section line to the center line of the existing county road running Easterly through said Section 21; thence Easterly along the center line of said county road to the East line of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of said Section 21, Township 76, North of Range 27, thence North along the center line of said county road to the Northeast corner of the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of said Section 21; thence West along the Section line to the point of beginning; and the West half of the Southwest Quarter of Section 16, Township 76 North, Range 27, EXCEPT a parcel of ground described as commencing at the Northeast corner of the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4), Section Twenty-one (21), Township Seventy-six (76) North of Range Twenty-seven (27) West of the 5th P.M., thence South 00° 00' along the East line of the West One-half of the Northeast Quarter (W1/2 NE1/4) of said Section 21, 643.1 feet to the point of beginning, thence continuing South 00° 00' along the said East line of the West one-half of the Northeast Quarter (W1/2 NE1/4) 831.1 feet, thence South 85° 15' West 135.3 feet, thence South 72° 16' West 140.4 feet, thence South 79° 11' West 139.1 feet, thence South 73° 42' West 170 feet, thence South 59° 48' West 194.0 feet, thence South 76° 30' West 335.5 feet, thence South 75° 30' West 233.0 feet, thence North 01° 16' East 145.5 feet, thence North 60° 42' East 109.0 feet, thence North 37° 36' East 158.2 feet, thence North 00° 39' West 116.7 feet, thence North 04° 37' East 213.0 feet, thence North 28° 30' East 166.8 feet, thence North 81° 04' East 239.3 feet, thence North 83° 41' East 362.9 feet, thence North 51° 42' East 510.4 feet, to the point of beginning. Said parcel contains 17.9425 acres including 0.6521 acres of public road right-of-way and is situated in the West one-half of the Northeast Quarter (W1/2 NE1/4) of Section Twenty-one (21), Township Seventy-six (76) North of Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa;

AND EXCEPT: a parcel of ground described as commencing at the Northeast corner of the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section Twenty-one (21), Township Seventy-six (76) North of Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence South 00° 00' along the East line of the West One-half of the Northeast Quarter (W1/2 NE1/4) of said Section Twenty-one (21), Township Seventy-six (76) North of Range Twenty-seven (27) West 1474.2 feet to the point of beginning; thence South 85° 15' West 135.5 feet, thence South 72° 16' West 140.4 feet, thence South 79° 11' West 139.1 feet, thence South 73° 42' West 170.0 feet, thence South 59° 48' West 194.0 feet, thence South 76° 30' West 335.5 feet, thence South 75° 30' West 467.6 feet, thence South 31° 53' West 366.6 feet, thence South 20° 11' West 383.9 feet to the center line of the county road, thence South 88° 39' East 265.6 feet along said center line thence North 83° 44' East 547.2 feet along said center line, thence North 44° 13' East 493.4 feet along said center line, thence North 83° 45' East 691.5 feet along said center line to the East line of the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) of Section Twenty-one (21), Township Seventy-six (76), North of Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, thence North 00° 00' along said East line and county road center line 611.3 feet to the point of beginning. Said parcel contains 24.6166 acres including 1.9802 acres of county road right-of-way and is situated in the Southwest Quarter of the Northeast Quarter (SW1/4 NE1/4) and the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section Twenty-one (21), Township Seventy-six (76) North of Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa.

M5-2121
Van Warden, James E & L.P.