

REG. 10-00
AUDS. 10-00
R.M.F. 10-00

FILED NO. 002415

BOOK 140 PAGE 805

Preparer

Information: Jerrold B. Oliver

P.O. Box 230

✓
RECORDED
✓
COMPALED
✓
Winterset

1999 DEC 27 PH 2: 36
(515) 462-3731

EASEMENT

RECORDED
MADISON COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS:

Doyle Z. Marquardt, Single, and Darvin G. Marquardt and Janet G. Marquardt, Husband and Wife,

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:

The East 920 feet of the North 32 feet of the South 72 feet of the Southwest Quarter (1/4) of the Northeast Quarter (1/4) of Section Five (5), the West 720 feet of the North 32 feet of the South 72 feet of the Southeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Five (5), the East 600 feet of the South 32 feet of the North 72 feet of the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section Five (5), the South 32 feet of the North 72 feet of the Northwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Four (4), all in Township Seventy-seven (77) North, Range Twenty-seven (27), West of the 5th P.M., Madison County, Iowa

An additional easement is granted North of the evergreen trees located in the Southeast Quarter (1/4) of the Northeast Quarter (1/4) of said Section Five (5), at which location the pipeline shall be installed North of such evergreen trees in order that the construction, maintenance and repair of the pipeline and necessary appurtenances shall not interfere with or damage such evergreen trees.

The Easement shall be 32 feet in width.

Grantor, during initial construction and after construction is completed, during any repair of such waterline and appurtenances, shall:

1. Pay crop damages to Grantees.
2. Restore to their original condition, any fences, tile lines and driveways, damaged by Grantee, or any persons performing such work for Grantee.
3. Restore the grade of the land to the same grade that existed prior to the construction, repair or maintenance of such pipeline and appurtenances.
4. Maintain such water pipeline and any necessary appurtenances in good repair so that damage to adjacent real estate will be kept to a minimum.
5. Construct the pipeline as close to fence located on the right-of-way line as reasonably possible.
6. Shall not damage the well located in the Northeast Quarter (1/4) of the Southeast Quarter (1/4) of said Section Five (5).

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 15 day of October 1999.

Doyle Z. Marquardt
Doyle Z. Marquardt

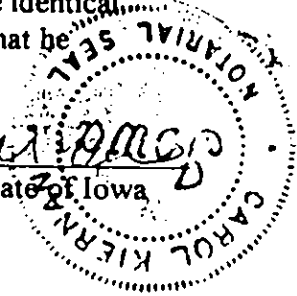
Darvin G. Marquardt
Darvin G. Marquardt

Janet G. Marquardt
Janet G. Marquardt

STATE OF IOWA, MADISON COUNTY, ss:

On this 1st day of October 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared, Doyle Z. Marquardt, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Carol K. Kier
Notary Public in and for the State of Iowa



Story
STATE OF IOWA, MADISON COUNTY, ss:

On this 28th day of September, 1999, before me, the undersigned, a Notary Public in and for the said State, personally appeared, Darvin G. Marquardt and Janet G. Marquardt, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



Sara Lehman
Notary Public in and for the State of Iowa