

REC \$ 5⁰⁰
AUD \$ 1⁰⁰
R.M.F. \$ 1⁰⁰

COMPUTER ✓
RECORDED ✓
COMPARED ✓

P. 31
FILED NO. 4724
BOOK 140 PAGE 105
98 MAY 21 PM 3:41

MICHELLE UTSLER
RECORDER

This Document Prepared By: Security Abstract & Title Co., Inc., 114 N. 1st Ave., Winterset, Iowa 50273 Telephone (515) 325-1111

EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

Richard G. Tracy

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:

North Half (N 1/2) of the Northwest Quarter (NW 1/4) of Section Twenty-eight (28) Township Seventy-five (75) North of Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, EXCEPT A part of the North one-half (N 1/2) of the Northwest Quarter (NW 1/4) of Section 28, Township 75 North, Range 27, West 5th P.M., Iowa described as follows: Beginning at a point on the North line of said Section Twenty-eight (28) that is 1355.0 feet east of the Northwest corner of said Section 28, thence East along said North line 175.0 feet, thence South 207.0 feet; thence West 187.0 thence North 03°19'30" east 207.0 feet to point of beginning subject to road easement along North side thereof and containing 0.846 acre,

and locally known as:

Orion Ave.

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 10 day of March, 1998.

Richard G. Tracy
Richard G. Tracy

M5-343

STATE OF IOWA, MADISON COUNTY, ss:

On this 10th day of MARCH, 1998, before me the undersigned, a notary public in and for the State of Iowa appeared to me Richard G. Tracy

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.



Jodi L. Witzke
Notary Public

M5-343

105