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LISA SMITH, COUNTY RECORDER
MADISON IOWA

Prepared By: Mark L. Smith, P.O. Box 230, Winterset, IA 50273 Telephone: 515/462-3731

Return To: Mark L. Smith, P.O. Box 230, Winterset, IA 50273

✓ City of St Charles, P.O. Box 118, St Charles IA 50240

SANITARY SEWER TRANSMISSION LINE EASEMENT

Dale E. Kephart and Connie K. Kephart, Husband and Wife, hereinafter called

“Grantors”, in consideration of One Dollar (\$1.00) and other valuable consideration, does hereby grant to the **City of St. Charles, Iowa**, hereinafter called “Grantee”, and to its successors and/or assigns, the perpetual right and easement over, under and across the following-described real estate in Madison County, Iowa, to-wit:

See Drawing Attached Hereto Showing a 20' strip of land to be used for sewer easement further described as that part of the land located in the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4) of Section Twenty-four (24), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., City of St. Charles, Madison County, Iowa.

together with the right of ingress and egress over and across said easement area for the purpose of constructing, installing, laying and thereafter using, operating, inspecting, repairing, maintaining and replacing a sanitary sewer transmission line over, under, across and through said real estate and installation of said line.

The Grantors warrant and covenant to the Grantee that they are the owners of the real estate upon which said easement area is situated, that said real estate is free and clear of liens and encumbrances; and that Grantors have the full right and authority to validly grant this easement, and the Grantee may quietly enjoy its estate in the premises.

Grantors covenant that no act will be permitted within the easement area which is inconsistent with the rights hereby granted; and no buildings or structures will be erected upon said easement area; and, that the present grade or ground level thereof will not be changed by excavation or filling.

This Easement shall run with the land and bind and enure to the benefit of the heirs, successors and assigns of the parties. Grantee shall be solely responsible for the maintenance of the easement area, and Grantors shall have no responsibility therefor.

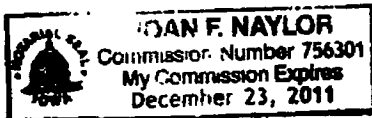
Dated this 6 day of APRIL, 2009.

Dale E. Kephart
Dale E. Kephart

Connie K. Kephart
Connie K. Kephart

STATE OF IOWA :
:ss
COUNTY OF MADISON :

Subscribed and sworn to before me by the said Dale E. Kephart and Connie K. Kephart on this 6th day of April, 2009.



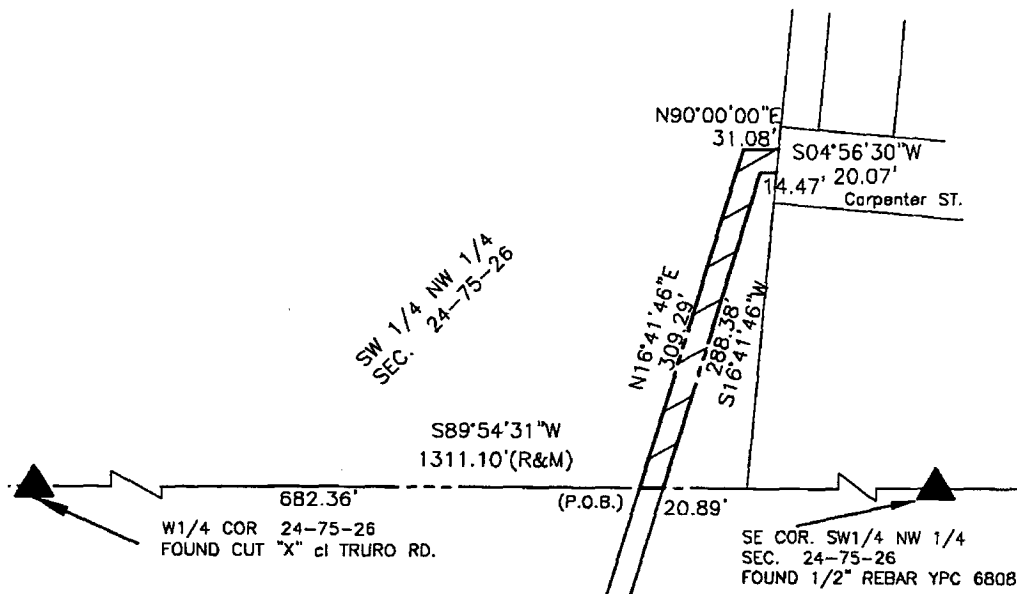
Dan F. Naylor
Notary Public in and for the State of Iowa

Prepared by and return to:
Bruce Logemann - Bartlett & West Engineers
5919 Vista Dr. - West Des Moines, Iowa 50266 - 515-440-2856

PERMANENT SEWER EASEMENT

LEGAL DESCRIPTION A 20' strip of land to be used for sewer easement further described as That Part of the land located in the Southwest Quarter of the Northwest Quarter (SW 1/4 NW 1/4) of Section 24, Township 75 North, Range 26 West of the 5th PM, City of St Charles, Madison County, Iowa, and described as follows:

Commencing at the W 1/4 corner of Section 24; thence N89°54'31"E along the south line of said SW 1/4 NW 1/4, a distance of 682.36 feet to the Point of Beginning; thence N16°41'46"E, a distance of 309.29 feet; thence N90°00'00"E, a distance of 31.08 feet to the westerly right of way of Carpenter ST.; thence S04°56'00"W along said westerly right of way, a distance of 20.07 feet; thence S90°00'00"W, a distance of 14.47 feet; thence S16°41'46"W, a distance of 288.38 feet to the south line of said SW 1/4 NW 1/4; thence S89°54'31"W along said north line, a distance of 20.89 feet to the Point of Beginning; Contains 0.15 acres (6430 S.F.) more or less.



LEGEND

- FND. 5/8" REBAR
- FND. 3/4" BAR
- ▲ SECTION COR. AS NOTED
- EXISTING FENCELINE

EASEMENT FOR:
CITY OF ST. CHARLES
OWNER:
KEPHART, DALE E. & CONNIE K.

0 100 200
SCALE: 1"=200'

BARTLETT & WEST

WEST DES MOINES, IOWA
PHONE 515.440.8856

SEWER EASEMENT
SEC.23-75-26
MADISON COUNTY, IOWA

PROJ NO:
14736.002
DATE:
3-4-2009

SHEET NUMBER
1
OF 1