

IND. ☒
REC. ☒
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EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

MARY E. WILLY
RECORDER
MADISON COUNTY, IOWA

That in consideration of the sum of \$1 and other good and valuable consideration paid to Ralph L. Keltner and Irene L. Keltner, husband and wife, hereinafter referred to as Grantors, by the city of Winterset, Iowa, hereinafter referred to as Grantee, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell, transfer and convey unto the Grantee, its successors and assigns, a perpetual easement with the right to erect, construct, install and lay and thereafter use, operate, inspect, repair, maintain, replace and remove a storm sewer over and across the following described land of the Grantor, situated in Madison County, Iowa, and being more particularly described as follows, to-wit:

The East 14 feet of the West 73 feet of the East One-half ($E\frac{1}{2}$) of lot Four (4) in Hutchings Addition to the City of Winterset, Iowa,

together with the right of ingress and egress over the adjacent lands of the grantor, his successors and assigns, for the purpose of this easement. This easement is given in further consideration of the Grantor being able to connect his footing tile drain to the storm sewer line for an adequate outlet. The Grantee agrees that according to the present specifications the storm sewer line which is to be constructed will be constructed at a sufficient depth to enable the Grantor herein to have a sufficient natural and adequate outlet. The Grantor agrees to pay for the expense of construction of his tile drain to the main storm sewer drain to be constructed by the Grantee under this easement.

The consideration hereinable recited shall constitute payment in full for any damages to the land of the Grantor, his successors or assigns, by reason of the installation, operation and maintenance of the structures or improvements referred to herein, but shall not relieve the Grantee from any liability for damages to land other than that covered by this easement and shall not relieve the Grantee from liability for damages to improvements thereon. The Grantee covenants to maintain the easement in good repair so that no reasonable damage will result from its use to the adjacent land of the grantor, his successors and assigns.

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 20th day of August, 1973.

Ralph L. Keltner
Ralph L. Keltner

Irene Keltner
Irene L. Keltner

STATE OF IOWA: SS

On this 20th day of August, 1973, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Ralph L. Keltner and Irene L. Keltner, 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.

[Signature]
Notary Public in and for the
State of Iowa.

