

FILED NO. 1826
BOOK 104 PAGE 402

1974 NOV -7 PM 2:04

EASEMENT

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

In addition to the land conveyed in the Warranty Deed dated *July 50*
November 2, 1974, wherein Ray D. Whipple and Joyce Marie Whipple
were Grantors, and Robert F. Murphy and Kay L. Murphy were Grantees,
and as a part of that conveyance, the undersigned, Ray D. Whipple
and Joyce Marie Whipple, husband and wife, hereby grant, bargain and
convey to Robert F. Murphy and Kay L. Murphy, an easement over and
through the real estate legally described as:

8 feet on either side of a line from a point
467 feet East and 225 feet North of the Southwest
corner of the Southwest Quarter ($\frac{1}{4}$) of the
Southeast Quarter ($\frac{1}{4}$), Section Twenty-eight (28),
Township Seventy-six (76) North, Range Twenty-
eight (28) West of the 5th P.M., to a point 137
feet East and 1562 feet North of the said South-
west corner of said Southwest Quarter ($\frac{1}{4}$) of the
Southeast Quarter ($\frac{1}{4}$)

and the right to draw water from the spring situated at the north end of
said easement.

Said easement shall include the right of ingress and egress to
said tract for the purpose of and the right to installing, repairing,
maintaining and/or replacing the water lines equipment and paraphernalia
necessary to transport water from said spring to the following described
real estate, to-wit:

Commencing at a point 398 feet East of the Southwest
Corner of the Southwest Quarter ($\frac{1}{4}$) of the Southeast
Quarter ($\frac{1}{4}$) of Section Twenty-eight (28), Township
Seventy-six (76) North, Range Twenty-eight (28) West
of the 5th P.M., thence East 554 feet, North 315 feet,
thence West 554 feet, thence South 315 feet to the
point of beginning.

It is understood that the water supply from said spring is to be
shared by Gregory G. Newell and Marion B. Newell, the Murphy Grantee herein,
and the property adjoining the property conveyed by Whipples to Murphys to
the West, and Newells make no guarantee of said water supply.

IND. ☒
REC. ☒
FILE ☒

Grantees agree to pay at least one-half ($\frac{1}{2}$) of the cost of maintaining lines, pumps and supply tank for their water supply and agree to grant the property to the West the right to use water from the supply tank for a period of ten (10) years.

Newells are not responsible in any way for the cost of the above mentioned lines, pump and supply tank.

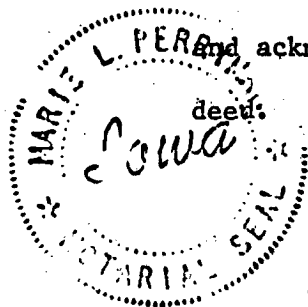
Dated this 2nd day of November, 1974.

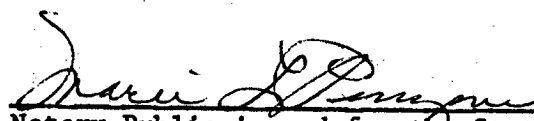

Ray D. Whipple


Joyce Marie Whipple

STATE OF IOWA :
:ss
MADISON COUNTY :

On this 2 day of November, A.D. 1974, before me personally appeared Ray D. Whipple and Joyce Marie Whipple, 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




Marie L. Perryman Notary Public in and for the State of Iowa