

Town Lot Deed Record, No. 37

C. Roy Price & wife	#3965	Filed for record the 20 day of October
To		A. D. 1961 at 2:03 o'clock P. M.
Town of Earlham, Iowa	Fee \$2.50 VJS	Mary E. Welty, Recorder

EASEMENT FOR SEWER RIGHT-OF-WAY

KNOW ALL MEN BY THESE PRESENTS: That we, C. Roy Price and Pearl Price, Husband and Wife, of the County of Madison and State of Iowa, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, in hand paid by the Town of Earlham, Iowa, the receipt of which is hereby acknowledged, do hereby sell, grant, and convey unto the Town of Earlham, in the County of Madison and the State of Iowa, a perpetual easement and right-of-way under, through and across

A ten (10) foot permanent right-of-way easement located in the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 6, Township 77 North, Range 28 West of the 5th P. M. in Madison County, Iowa, the center-line of which is more particularly described as follows:

Commencing at the Southwest corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 6; thence east a distance of approximately 313.91 feet and North along the West property line a distance of approximately 422 feet to the point of beginning; thence Northeasterly a distance of approximately 85 feet to a point on the North property line located approximately 74 feet East of the Northwest property corner.

The exact location of the sewer line in the permanent right-of-way to be fixed by the Engineer for the Town of Earlham, Iowa.

in the Town of Earlham, Madison County, Iowa, for the construction of a sewer with the right in said Town to construct and forever maintain a sewer through, under and across said real estate along said line.

The Town of Earlham to have the right to enter in, upon, and onto said property for the purpose of constructing said sewer and for the purpose of replacing, enlarging, reconstructing or repairing said sewer whenever necessary, and to have the right to use as much of the surface of the above described real estate as may be necessary for the purpose of constructing, repairing, enlarging or maintaining said sewer, but for no other use or purpose whatsoever.

And we hereby COVENANT with the Town of Earlham, Iowa that we hold said premises by good

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Acres-Biscoe Co., Burlington. 81293

and perfect title free and clear of Liens and encumbrances and that we have good right and lawful authority to make the conveyance herein made and we WARRANT and DEFEND said premises against the lawful claims of all persons claiming by, through or under us.

It is further agreed between the parties hereto as as part of the consideration that the Town will furnish a connection and will connect the sanitary sewer of the grantors at the point of intersection with the proposed sewer line of said Town. Further the Town agrees to erect a temporary fence to restrain the sheep belonging to the grantors from escaping from their pasture during the construction on aforesaid land. Original Fence to be reconstructed to present condition after completion of sewer line.

IN WITNESS WHEREOF, we have hereunto affixed our hands this 19th day of October, 1961.

C. Roy Price
(C. Roy Price)
Pearl Price
(Pearl Price)
OWNERS

STATE OF IOWA, MADISON COUNTY, SS

BE IT REMEMBERED, that on this 19th day of October, A.D., 1961, before me, the undersigned a notary public within and for said County, personally appeared C. Roy Price and Pearl Price to be known to be the identical persons named in and who executed the same as their voluntary act ~~and deed~~ for the purpose therein set forth.

NOTARIAL
SEAL

Marian A. Mark Notary Public
in and for Madison County, Iowa.