

Deed Record, No. 96, Madison County, Iowa

MATT PARROTT & SONS CO., WATERLOO, IOWA 66-4316

Ernest J. McNamara et al
To

#607 ~~2847~~
Fee \$2.50

Filed for record the 7 day of May
A.D. 1970 at 8:46 o'clock A.M.

Fred LeRoy Warren et al

Mary E. Welty, Recorder

EASEMENT FOR WATERWAY

KNOW ALL MEN BY THESE PRESENTS: That we, Ernest J. McNamara and Marguerite McNamara, husband and wife, and Mary McNamara, a single person, do hereby grant unto Fred LeRoy Warren and Laurrene Warren, an easement for the purpose of constructing, maintaining, repairing, removing and replacing a water line over and across the following described real estate, to-wit:

The North 76.43 acres of the South 110 acres of the East Half ($\frac{1}{2}$) of Section Thirty-five (35) except a 10-acre tract in the north-east corner thereof, all in Section Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M.

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The Grantees herein agree to place said water line at least five feet below the natural surface of the ground.

It is understood between the parties hereto that said water line will enter the premises near the southeast corner and extend westward across the premises owned by the Grantors herein for a distance of approximately 160 rods. It is further agreed that after the construction of said line this grant of easement will be amended showing the exact location of said water line with reference to the east and west boundary lines of the tract owned by the Grantors herein.

The Grantors, their successors and assigns shall have the right to tap said water line for the purpose of taking water therefrom for agricultural purposes, and they agree to pay reasonable rates for the water which they take from said water line.

Grantees, their successors and assigns are hereby granted the right of ingress and egress along the course of said water line. Grantees, their successors and assigns shall pay for any damages to growing crops on said premises occasioned by Grantees' entry on the premises.

This easement shall be construed as a covenant running with the land now owned by the Grantees herein, to-wit:

The Southwest Quarter (¼) of Section Thirty-five (35), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M.

Ernest J. McNamara
Ernest J. McNamara

Marguerite McNamara
Marguerite McNamara

Mary McNamara
Mary McNamara

GRANTORS

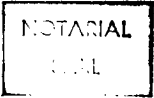
Fred LeRoy Warren
Fred LeRoy Warren

Laurrene Warren
Laurrene Warren

GRANTEES

STATE OF IOWA :
 :ss
MADISON COUNTY :

On this 24 day of April, 1969, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Ernest J. McNamara, Marguerite McNamara and Mary McNamara 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.



Grace E. Mills, Notary Public
in and for Madison County, Iowa

GRACE E. MILLS, Notary Public
in and for Madison County, Iowa