

Deed Record, No. 88, Madison County, Iowa

BOONE BLANK BOOK CO., BOONE, IOWA. 1411-54

John & Stella Horras	#3250	Filed for record the 1 day of September
To		A. D. 1956 at 11:30 o'clock A. M.
Georgia Carson	Fee \$1.60	
	<u>GRANT OF EASEMENT</u>	Mary E. Welty, Recorder

WHEREAS, Georgia Carson, of Madison County, Iowa, is the owner of certain real estate in Madison County, Iowa, described as a tract of real estate bounded by and included within a line running as follows: Beginning at a point 60 feet North of a point 430 feet West of the Southeast corner of Section 35, Township 76 North, Range 28 West of the 5th P.M., and running thence North 208.71 feet, thence West 208.71 feet, thence South 208.71 feet, thence East 208.71 feet to the place of beginning, being the same real estate which was conveyed by John Horras and Stella Horras, husband and wife, to said Georgia Carson by deed dated April 5, 1954, filed April 7, 1954, and recorded in Deed Record 87 of Madison County, Iowa, records, at Page 92, and,

WHEREAS, the undersigned John Horras is the owner of the real estate which lies immediately west of the said real estate belonging to said Georgia Carson, and,

WHEREAS, the parties hereto have agreed upon the terms of the grant of easement provided for herein,

NOW, THEREFORE, we, John Horras and Stella Horras, husband and wife, of Madison County, Iowa, for and in consideration of the sum of One Hundred Twenty-five (\$125.00) Dollars, receipt of which is acknowledged, hereby sell, convey and grant to said Georgia Carson, of Madison County, Iowa, a permanent easement in the real estate hereinafter described, to construct, lay, maintain, repair and replace underground tile drains in, across, through and under a tract of real estate 180 feet long from east to west and 12 feet wide from north to south, more particularly hereinafter described, for the purpose of conducting and carrying away drainage from a septic tank on the said premises of said Georgia Carson, together with such soil drainage as may be incidental thereto, with the right to excavate and refill ditches or trenches for the location of such drains, and to maintain, repair, keep in operation, reconstruct, replace, deepen or remove said tile drains, or any part thereof, and to have the right to enter upon said premises in which this easement is granted, and to have the right of ingress to such premises and egress therefrom, for the accomplishment of any or all of said things, and the real estate in which this easement is granted is a strip of land 180 feet long from east to west and 12 feet wide from north to south, and is bounded by and included within a line running as follows: Beginning at the Northwest corner of the said real estate of Georgia Carson hereinbefore described and referred to, and running thence West 180 feet, thence South 12 feet, thence East 180 feet, thence North 12 feet to the place of beginning, and said tile drains shall be permitted to be two in number, and may be laid in separate and distinct ditches or trenches, and may run to the west line of said strip in which this easement is granted, and may be laid with the type of tile commonly known as field tile, with open joints between the tiles, and such drain tiles shall be located under the surface of the ground to such a depth that they will not interfere with the cultivation of such land by any implements or machinery such as are now in use in the cultivation of farm land in Madison County, Iowa; and said easement is granted to said Georgia Carson and to her successor or successors in interest in the ownership of the said real estate hereinbefore described and referred to as belonging to her, thus providing that this easement

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is an easement running with and attached to said real estate hereinbefore described and referred to as belonging to said Georgia Carson; and if any crops or personal property are destroyed or damaged in maintaining, repairing, replacing or removing such tile drains, or any part thereof payment will be made therefor on the basis of the fair and reasonable value thereof to the owner of the crops or personal property damaged or destroyed.

Dated at Winterset, Iowa, the 1st day of September, 1956.

John Horras
Stella Horras

State of Iowa, Madison County,) SS:

On this 1st day of September, 1956, before me, the undersigned, a Notary Public in and for Madison County, State of Iowa, personally appeared John Horras and Stella Horras, husband and wife, 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.



Daniel J. Gallery Notary Public
in and for Madison County, Iowa