

Deed Record, No. 84, Madison County, Iowa

Thos Baker & wife #2863 Filed for record the 26 day of April
 To A. D. 1950 at 9:06 o'clock A. M.
 Macksburg Consolidated Fee \$.90
 School Corporation Wilma M. Wade, Recorder
GRANT OF RIGHT OF WAY AND EXCLUSIVE WATER RIGHTS

For and in consideration of the sum of One Hundred Fifty Dollars (\$150.00), receipt of which is hereby acknowledged, Thomas Baker and Neva Baker, husband and wife, do hereby grant, convey and warrant unto the Macksburg Consolidated School Corporation, its successors assigns and lessees, the right and easement to drill, dig or construct, reconstruct, operate and maintain a well, together with an electric transmission line and also to construct, reconstruct, operate and maintain a water pipe line in, upon and across certain land owned by the Grantors situated in the County of Madison, State of Iowa, and described as follows:

A tract of land commencing at a point 306.5 feet West and 743 feet South of the Northeast Corner of Section Sixteen (16) in Township Seventy-four (74) North, Range Twenty-nine (29) West of the 5th P.M., and running thence West 96 feet; thence North 38 feet; thence West 496 feet; thence North 10 feet; thence West to a point 66 feet West of the West line of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section; thence South parallel with said West line to a point 100 feet North of the South line of the North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of said Section Sixteen (16); thence East parallel with said South line to a point 482 feet West of the East line of said Section; thence West 296 feet; thence East 175.5 feet; thence North 190.42 feet to the place of beginning,

together with the right of ingress to and egress from such lands for the purpose of constructing, repairing or replacing said well, water pipe line and electric line, it being further understood that no more than one pole shall be located on Grantors property and said poles shall be so located as not to interfere with any land now under cultivation.

That Grantee herein shall repair any damage to the property of the Grantors or pay any substantial damage which may be caused to Grantors property by the erection, reconstruction, operation and maintenance of said water pipe line or electric line, said damages, if not mutually agreed upon, shall be ascertained by three (3) disinterested persons, one (1) of whom shall be selected by each, Grantors and Grantee, and the third by the two (2) so selected. The damages determined by such persons or a majority of them shall be conclusive as to the facts.

The easement granted herein is limited to the construction of a well located within

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Acres-Blackmar Co., Burlington. 48029

approximately one (1) rod of the South line of said property herein described and the Grantors herein agree that they are to perform no acts of digging, drilling or constructing of any well, pit or excavation at or near said well location which would in any way deprive the Grantees herein of the exclusive use and right to the water now available at said well site.

The consideration herein of One Hundred Fifty Dollars (\$150.00) is in full payment of said easement and all damages to date of signing hereof and the Grantees herein are to have the right to do all other necessary construction including adequate fencing around said well to protect the same from Grantors livestock or from any other intrusion or injuries.

Subject to the foregoing this grant shall be binding upon the heirs, successors and assigns of the undersigned.

Witness the hand and seal of the Grantors this 25th day of April, 1950.

(NO CORPORATE
SEAL)

Thos Baker
Grantor
Neva Baker
Grantor

STATE OF IOWA COUNTY OF MADISON) ss

Accepted by Macksburg Consolidated
School Corporation
By Frank Hatfield President
Luella Whitworth Secretary

I, Earle Whitworth, do hereby certify that Thomas Baker and Neva Baker, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and seal this 25th day of April, A. D., 1950.

(Notarial Seal)

STATE OF IOWA COUNTY OF MADISON) ss

Earle Whitworth Notary Public
in and for Madison County, Iowa.

On this 25th day of April, 1950, before me, a Notary Public in and for said County in the State aforesaid, personally appeared Frank Hatfield Pres. and Luella Whitworth Secy, to me personally known, each being by me duly sworn, did say that the said Frank Hatfield is the President, and the said Luella Whitworth is the Secretary of Macksburg Consolidated School District the corporation that executed the foregoing instrument, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said instrument was signed, sealed and delivered in the name and on behalf of said corporation by authority of its Board of Directors, and said Frank Hatfield Pres. and Luella Whitworth Secy acknowledge said instrument to be the free and voluntary act and deed of said corporation.



my hand and seal the day and year last above written.

Earle Whitworth Notary Public
in and for Madison County, Iowa.