

Filed at 8:46 A.M.

Dec. 6, 1982

FEE \$3.00

#1215

9-7-88
DICKINSON TWP
Lakeville TWP

RIGHT-OF-WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar (\$1.00) and other good and valuable consideration paid to Robert V. Ross and Francis P. Ross, husband and wife

hereinafter referred to as GRANTOR, by OSCEOLA COUNTY RURAL WATER SYSTEM, INC., an Iowa non-profit corporation hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell and transfer and convey unto the Grantee, its successors and assigns, a perpetual easement with the right to erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace and remove a water pipeline over, across, and through the land of the Grantor situated in Dickinson County, Iowa, said land being described as follows:

There shall be no above ground construction.

The NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ AND Government Lot 1, all in Sec. 14, Twp. 99, Range 37, West of the 5th P.M., together with the right of ingress and egress over the adjacent lands of the Grantor, his successors and assigns, for the purpose of this easement. The easement shall be 50 feet in width located immediately adjacent and parallel to the highway right-of-way line or boundary which abuts the north 15 side(s) of the above described lands, with the center line of said easement being 50 feet from the said highway right-of-way boundary; provided, however, that the Grantee may deviate from the above course, with grantor's consent, to avoid natural and/or man-made barriers.

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the Grantor, his successors and assigns, by reason of the installation, operation and maintenance of the structure or improvements referred to herein, except that Grantee will pay for any crop or other damage suffered by Grantor as a result of such installation or maintenance. The Grantee covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the Grantor, his successors and assigns.

The grant and other provisions of this easement shall constitute a Covenant Running With the Land for the benefit of the Grantee, its successors and assigns.

IN WITNESS WHEREOF, the Grantors have executed this instrument this 14th day of October, 19 82.

Robert V. Ross
Robert V. Ross
Francis P. Ross
Francis P. Ross
Box 9191, Spirit Lake, Ia. 51350
State of Iowa, Dickinson County, ss.

On this 14 day of October, 19 82, before me, the undersigned a Notar Public in and for said State, personally appeared Robert V. Ross and Francis P. Ross, husband and wife to me known to be the person(s) named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

James C. Lohman
Notary Public in and for said State.
Notary: Please type or print name above.