

CONFIRMED

INST # 005984
RECORDING FEE 15.00
AUDITOR FEE _____
RMA FEE 1.00 ECOM 1.00
FILED FOR RECORD
POTTAWATTAMIE CO. IOWA
2006 OCT -6 AM 10:48
RECORDER

Prepared by and return to David L. Jungmann, AR002730, 113 W. Iowa St., P.O. Box 329, Greenfield, Iowa 50849 Phone#(641) 743-6195

RIGHT OF WAY EASEMENT
Easement C 150403

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of one dollar (\$1.00) and other good and valuable consideration paid to Robert A. Jensen and Alvin Jensen both are single, Hereinafter referred to as GRANTORS, by Regional Water, an Iowa nonprofit corporation, hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged, the Grantors do hereby grant, bargain, sell, transfer and convey unto the Grantee, its successors and assigns, a perpetual easement with the right to erect, construct, install and lay and there after use, operate, inspect, repair, maintain, replace and remove a water pipeline over, across, and through the land of the Grantors in Pottawattamie County, Iowa, said land being described as follows:

See Attachment A:

Together with the right of ingress and egress over the adjacent lands of the Grantors, and their successors and assigns for the purpose of this easement.

Grantors further agree that in the event Grantors have or hereafter enters into an agreement with Grantee for the Grantee to supply Grantors above described real estate with water, that said agreement shall be binding upon the Grantors, their successors and assigns, shall run with the land for the minimum term therein stated.

The consideration herein above recited shall constitute payment in full for any damages to the land of the Grantors, their successors and assigns, by reason of the initial installation, operation, maintenance of the structure or improvements referred herein. 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 Grantors, their 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 12 day of April, 2006.

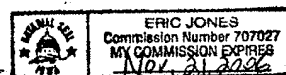
Robert A. Jensen
Robert A. Jensen

Alvin Jensen
Alvin Jensen

STATE OF Iowa, COUNTY OF Shelby: ss

On this 12 day of April 2006 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Robert A. Jensen and Alvin Jensen, husband and wife, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Eric Jones
NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE



BK107PG05962

"Attachment A"

Parcel A - One half interest in and to:

The NW1/4 and the W1/2 of SW1/4 of Section 4, Township 77, Range 40 in Pottawattamie County, Iowa,
Except the following:

1. Those parts of said property conveyed to State of Iowa for highway purposes.

2. That part of the NW1/4 described as follows: Commencing at the NW1/4 corner of said Sec. 4 thence S 00° 00' W (assumed bearing) along the East line of the NW1/4 of said Sec. 4, a distance of 1775.3 feet; thence S 90° 00' W, a distance of 70.0 feet to the point of beginning, said point being on the West right-of-way line of Iowa Highway #168; thence S 00° 00' W along the West right-of-way line of said highway #168, a distance of 95.00 feet; thence S 05° 37' 00" W along the Westerly right-of-way line of said Highway #168, a distance of 200.97 feet to a point in the Northerly right-of-way line of Interstate Hwy #80; thence S 44° 59' 20" along the Northerly right-of-way line of said Interstate #80 a distance of 174.47 ft; thence S 72° 07' W along the Northerly right-of-way line of said Interstate #80, a distance of 49.27 feet; thence N 00° 00' E, a distance of 433.56 feet; thence N 90° 00' E, a distance of 190.00 feet to the point of beginning;

3. Commencing at the North 1/4 corner of said Section 4; thence N 89° 27' 59" West along the North line of said Northwest 1/4, 1136.47 feet to a point on the Easterly right of way line of the abandoned Chicago, Rock Island and Pacific Railroad; thence South 16° 26' 36" West along said railroad right of way line, 25.48 feet to the point of beginning, said point being on the South right of way line of a local road; thence continuing South 16° 26' 36" West along said railroad right of way 534.96 feet; thence Southwesterly along a curve concave Northwesterly whose radius is 5779.65 feet, whose arc length is 1983.96 feet, and whose chord bears South 26° 16' 38" West, 1974.24 feet; thence North 88° 56' 08" East 1344.14 feet; thence Easterly along a curve concave Northerly whose radius is 1310.00 feet, whose arc length is 371.62 feet, and whose chord bears North 80° 55' 51" East 370.41 feet thence North 72° 55' 36" East, 170.13 feet; thence South 00° 58' 49" West, 41.16 feet to a point on the North right of way line of Interstate Highway # 80; thence South 70° 50' 12" West along said right of way line, 730.02 feet thence South 88° 27' 52" West along said right of way line, 897.66 feet; thence North 79° 02' 43" West along said right of way line, 355.20 feet; thence North 88° 52' 16" West along said right of way line, 138.10 feet to a point on the Westerly right of way line of said railroad; thence Northeasterly along said railroad right of way and along a curve concave Northwesterly whose radius

is 5679.65 feet whose arc length is 2150.63 feet, and whose chord bears North $27^{\circ} 17' 28''$ East, 2137.81 feet; thence North $16^{\circ} 26' 38''$ East along said railroad right of way line, 504.22 feet to a point on the South right of way line of said local road; thence North $89^{\circ} 21' 37''$ East along said right of way line 104.62 feet to the point of beginning.

4. A parcel beginning in NW corner thence E 607.34 feet; thence South 250.73 feet; thence West 235 feet; thence Southwesterly 29.95 feet; thence South 104.20 feet; thence West 185.36 feet; thence South 256.94 feet; thence West 161.56 feet; thence North 661.96 feet to Point of beginning.

(All of the above is located in Section 4, Township 77, Range 40W in Pottawattawie County, Iowa, interest owned by decedent is one half of 179.95 acres)