Carla Beaker
Del Co Auditor Office

330-3687

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n/c

Prepared by John W. Bernau, Delaware County Courthouse, 301 East Main Street, Manchester, Iowa 52057; 319-927-3819

ACCESS EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS, that Delaware County, Iowa (hereinafter referred to as "the County"), in consideration of one dollar ($1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, assign, and convey unto the Richard E. Tool Family Trust and the Florence L. Tool Revocable Trust (hereinafter referred to as "the Trusts"), their heirs, successors and assigns, a thirty foot (30') wide access easement in, to, upon, over, and across the following described real estate located in the city of Manchester, County of Delaware, Iowa:

The South thirty feet (30') of the West two hundred (200') feet of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section Twenty One (21); and

The South thirty feet (30') of the East thirty feet (30') of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty (20); and

The East thirty feet (30') of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4), North of the Northerly right of way line of Acers Street in Section Twenty Nine (29);

All in Township Eighty-Nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian.

That said easement is granted for the purpose of ingress and egress over and across the real estate described herein and is to provide access to real estate lying east of the Delaware County Fairgrounds. Said access easement to be used by the Trusts, their heirs, successors, assigns, agents, employees, customers and invitees.

The County, its successors and assigns, shall in no way impair, restrict, or impede travel or use by the Trusts, their successors or assigns, along the property subject to this easement. If the County, its successors or assigns, shall in the future erect fences or buildings along the traveled portion of this easement, gates, alternate routes, or equivalent access shall be given the Trusts, their successors or assigns at the County's expense.

The easement granted herein is a permanent easement and shall be irrevocable by the County, it successors or assigns.

IN WITNESS WHEREOF, the parties hereto have duly executed this agreement.

DATE 6-16-97 BOOK 7 PAGE 56

RICHARD E. TOOL FAMILY TRUST and FLORENCE L. TOOL REVOCABLE TRUST

By: Kim A Morton

Northern Trust Company, Trustee

By: _____
Kent I. Tool, Trustee

DELAWARE COUNTY, IOWA

By: Jerome Besler
Jerome Besler, Chairman
Delaware County, Iowa,
Board of Supervisors

By: Sharon McCrabb
Sharon McCrabb, Auditor
Delaware County, Iowa

STATE OF Illinois)
) ss:
Cook COUNTY)

On this 2 day of June, 1997, before me, the undersigned, a Notary Public in and for the State of IL, personally appeared KIM A. MORTON, to me personally known, who, being by me duly sworn, did say that he/she is the VICE PRESIDENT of the corporation executing the foregoing instrument; that the instrument was signed on behalf of the corporation by authority of its Board of Directors; that KIM A. MORTON acknowledged the execution of the instrument to be the voluntary act and deed of the corporation and of the fiduciary, by it, by them and as the fiduciary voluntarily executed.

OFFICIAL SEAL
RHONDA OWENS
NOTARY PUBLIC STATE OF ILLINOIS
MY COMMISSION EXP. APR. 21,2001

Rhonda Owens
Notary Public, State of _____

STATE OF CALIFORNIA)
) ss:
SAN FRANCISCO COUNTY)

On this 11 day of JUNE, 1997, before me, the undersigned, a Notary Public in and for the State of CALIFORNIA, personally appeared Kent I. Tool, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that the person, as the fiduciary, executed the instrument as the voluntary act and deed of the person and of the fiduciary.

A. X. MORALES
Commission # 1102286
Notary Public — California
San Francisco County
My Comm. Expires Jun 23, 2000

Notary Public, State of CALIFORNIA

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

On this 27 day of May, 1997, before me, Carolyn A. Wilson a Notary Public in and for the State of Iowa, personally appeared Jerome Besler and Sharon McCrabb to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the Board of Supervisors and County Auditor, respectively, of the County of Delaware, Iowa; that the seal affixed to the foregoing instrument is the county seal of the county and that the instrument was signed and sealed on behalf of the county, by authority of its Board of Supervisors, as contained in Ordinance No. _____ passed (or Resolution adopted) by the Board of Supervisors under Roll Call No. _____ of the Board of Supervisors on the 27 day of May, 1997, and Jerome Besler and Sharon McCrabb acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the county, by it voluntarily executed.

CAROLYN A. WILSON
Iowa
NOTARIAL SEAL

Carolyn A. Wilson
Notary Public, State of Iowa
Carolyn A. Wilson