Clark Brollier

DELAWARE COUNTY IOWA
FILED
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BOOK 8 PAGE 81
DEBORAH L TOYNE
DELAWARE CO. RECORDER
#16.00

486

Prepared by: W. Louis Beecher, 620 Lafayette, Waterloo, IA 50704-0178 319-234-1766

AGREEMENT

THIS AGREEMENT is made and entered into this ~~9th~~ 24TH day of ~~July~~ JUNE, 1998, by and between Althera Brollier, single, Dudley E. Brollier and Claudia Brollier, husband and wife, and Clark D. Brollier and Jacklyn Brollier, husband and wife, hereinafter called "Brollier", and David L. Gudenkauf and Lora Gudenkauf, husband and wife, hereinafter called "Gudenkauf".

S-88-98

Whereas, Brollier is the owner of parcels "S" and "T" shown on the plat of survey recorded on 4-29-98 in Book 8, Page 121 in the Office of the Recorder of Delaware County, Iowa, and

Whereas, Gudenkauf is the owner of parcels "U" and "R" as shown on the said plat of survey so recorded in Book 8, Page 121 in the Office of the Recorder of Delaware County, Iowa, and

Whereas, a 10' access easement is shown on said plat of survey which is used by Brollier as access to parcel "S". The 10' easement crosses parcels "U" and "R" as shown on said plat of survey, and

Whereas, Brollier and Gudenkauf desire to enter into a written agreement pertaining to the easement;

It is agreed as follows:

1. The 10' access agreement shall be established as shown on the plat of survey.

2. Both Brollier and Gudenkauf, their heirs, successors and assigns shall be entitled to use the easement as a means of ingress and egress to and from the county road lying easterly of parcels "T" and "R".

3. Maintenance of the easement shall be shared equally by Brollier and Gudenkauf.

4. Gudenkauf and Brollier may wish to change the location of the easement at some future date so as to permit Gudenkauf to build or improve parcels "U" and "R" in which case the easement shall be relocated by mutual agreement of Brollier and Gudenkauf, their heirs, successors and assigns.

5. Brolliers hereby create an easement for themselves and Gudenkauf over the triangular parcel running from parcel "R" to the county road lying easterly of parcels "T" and "R".

6. The 10' easement is for the use of Brollier and Gudenkauf, their heirs, successors and assigns and it shall be kept open at all times and will not be parked upon or obstructed in any way.

Althera Brollier
Althera Brollier

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Dudley E. Brollier

Dudley E. Brollier

Claudia Brollier

Claudia Brollier

Clark D. Brollier

Clark D. Brollier

Jacklyn Brollier

Jacklyn Brollier

David L. Gudenkauf

David L. Gudenkauf

Lora Gudenkauf

Lora Gudenkauf

STATE OF IOWA, Black Hawk COUNTY, ss:

On this 7th day of July, 1998, before me, the undersigned, a Notary Public in and for said County and said State, personally appeared Althera Brollier, single, and Clark D. Brollier and Jacklyn Brollier, 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.

Amy M. Schaefer

Notary Public - State of Iowa

Amy M. Schaefer Expires 7-22-98 New expiration 7-22-01

STATE OF IOWA, Polk COUNTY, ss:

On this 9 day of July, 1998, before me, the undersigned, a Notary Public in and for said County and said State, personally appeared Dudley E. Brollier and Claudia Brollier, 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.

BARBARA A. WILSON MY COMMISSION EXPIRES 3/14/2000

Barbara A. Wilson

Notary Public - State of Iowa

STATE OF IOWA, Jones COUNTY, ss:

On this 30th day of June, 1998, before me, the undersigned, a Notary Public in and for said County and said State, personally appeared David L. Gudenkauf, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

DOUGLAS D. HERMAN NOTARIAL SEAL

Notary Public - State of Iowa

Douglas D. Herman

STATE OF ARIZONA, Maricopa COUNTY, ss:

On this 24 day of June, 1998, before me, the undersigned, a Notary Public in and for said County and said State, personally appeared Lora Gudenkauf, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.

Kristy Jones
Notary Public - State of Arizona

OFFICIAL SEAL
KRISTY JONES
Notary Public State of Arizona
MARICOPA COUNTY
My Comm. Expires Mar 26, 2001