1ST St. BK

1313
DELAWARE COUNTY IOWA
FILED
1998 OCT 13 PM 2:30
BOOK 8 PAGE 126
DEBORAH L PEYTON
DELAWARE CO RECORDER
11.00

William D. Werger 401 East Main Manchester (319) 927-5920
Preparer Information

SANITARY SEWER EASEMENT AGREEMENT

This Agreement is made by and between Carl G. and Judy R. Gaulke, husband and wife (Gaulkes) owners of:

> Lot Two (2) of Lot B of McGraw Subdivision, a Subdivision of Lot B in the Northeast Quarter (NE ¼) of the Southeast Quarter (SE ¼) of Section Eight (8), Township Eighty Eight (88) North, Range Five (5), West of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 6 Plats, Page 50,

and James R. and Diana L. McGraw (McGraws), owner of:

> Lot Nine (9) of McGraw Second Subdivision, being a Subdivision of Lot One (1) of Lot B of McGraw Subdivision in Northeast Southeast (NE SE) of Section Eight (8), Township Eighty Eight (88) North, Range Five (5), per Plat recorded in Book 6, Page 97; except Parcel D, per Plat recorded in Book 7, Page 141., as follows:

1. The Gaulkes have constructed a sanitary sewer leach bed from their home and property and into property owned by McGraws.

2. The leach bed runs from the Southerly half of the Gaulkes property and approximately 10 feet into the adjoining property to the West owned by McGraws.

3. The McGraws hereby grant to Gaulkes, an Easement for said leach bed on the condition that Gaulkes maintain said leach bed at their expense and restore the surface above the leach bed after any construction, maintenance, repair or replacement of said leach bed.

4. This Agreement shall run with the land and shall be binding upon the parties and their successors in interest.

DATE 10-13-98 BOOK 8 PAGE 126

Carl G. Gaulke

Judy R. Gaulke

Subscribed, sworn and acknowledged to me by Carl G. Gaulke and Judy R. Gaulke on the 6th day of October, 1998.

CHRISTINE L. SEGELER
NOTARIAL SEAL
IOWA
3 [illegible] 2001

Notary Public In And For The State
Of Iowa

James R. McGraw

Diana L. McGraw

Subscribed, sworn and acknowledged to me by James R. McGraw and Diana L. McGraw on the 6th day of October, 1998.

KEVIN J. MOTE
MY COMMISSION EXPIRES
1/9/01

Notary Public In And For The State
Of Iowa