DELAWARE COUNTY IOWA
FILED
1595
1998 NO -2 PM 2:43
BOOK 8 PAGE 137
DEBORAH L PETTON
DELAWARE CO RECORDER
11.00

Preparer
Information John M. Carr, Atty. PO Box 333 Manchester, IA 52057

DRIVEWAY EASEMENT

Delbert J. Heims and Mary A. Heims, husband and wife hereinafter "Heims" and Robert L. Kern and Debora L. Kern, husband and wife hereinafter "Kern" in consideration of each granting to the other an easement agree as follows:

1. Heims own the following described real estate:

The Southwest Quarter (SW¼) of the Northeast Quarter (NE¼) and the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of Section 23, Township Ninety (90) North, Range Six (6), West of the Fifth P.M., except that part thereof described as beginning at a point nine and fifty six hundredths (9.56) chains East of the Northwest corner of said Southeast Quarter (SE¼) of the Northwest Quarter (NW¼), thence East on the Section line three and forty five hundredths (3.45) chains, thence South four and eighty two hundredths (4.82) chains, thence West two and forty five hundredths (2.45) chains, thence North one and sixty two hundredths (1.62) chains, thence West one (1) chain, thence North three and two-tenths (3.2) chains to the point of beginning.

2. Kern owns the following described real estate:

That part of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of Section Twenty Three (23), Township Ninety (90) North, Range Six (6), West of the Fifth P.M., described as beginning at a point nine and fifty six hundredths (9.56) chains East of the Northwest corner of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of said Section, thence East on the North line of said Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) three and forty five hundredths (3.45) chains, thence South four and eighty two hundredths (4.82) chains, thence West two and forty five hundredths (2.45) chains, thence North one and sixty two hundredths (1.62) chains, thence West one (1) chain, thence North three and two tenths (3.2) chains to the point of beginning.

3. The West side of the Heims property adjoins the East side of the Kern property.

4. Heims grant to Kern an easement over that part of their above described property where the current driveway now lies for purposes of using it for a driveway. Kern grants to Heims an eastment over that part of their above described property where the current driveway now lies for purposes of using it for a driveway.

5. This easement shall run the entire length of the adjoining property line of Heims and Kern.

6. That the sole purpose of the easement is to allow each part a full and necessary access to their respectively owned real estate as described above.

7. That all maintenance and repair of the driveway shall be mutually agreed upon and expenses shared equally.

8. That this easement shall be binding upon the heirs, successors and assigns of each of the parties hereto.

Dated this 29th day of October, 1998.

Delbert J. Heims
Delbert J. Heims

Mary A. Heims
Mary A. Heims

Robert L. Kern
Robert L. Kern

Debora L. Kern
Debora L. Kern

STATE OF IOWA

DELAWARE COUNTY.

On this 29th day of October, 1998, before me, the undersigned, a Notary Public in and for said state, personally appeared Robert L. and Debora L. Kern and Delbert. J. Heims and Mary A. Heims to me know 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.

LAURETTA MARIA HOLTZ
Lauretta Maria Holtz
Lauretta Maria Holtz Notary Public

Sept 16, 2000