DELAWARE COUNTY IOWA
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BOOK 199 PAGE 1230
DEBRA L. FENTON
DELAWARE CO. RECORDER
16.00

Thomas J. Hanson 401 East Main Street, Manchester, (319) 927-5920

EASEMENT AGREEMENT

THIS AGREEMENT entered into this 13th day of ~~April~~ May, 1999, by and between Daniel A. Schulte and Ann L. Schulte, husband and wife, (First Parties) and William E. Gearhart and Diane Gearhart, husband and wife, (Second Parties).

WHEREAS, First Parties are the owners of real estate located in Delaware County, Iowa, legally described as follows:

> North Ridge Subdivision, located in the Southeast Quarter of the Southwest Quarter of Section 18, Township 89 North, Range 5, West of the 5th P.M. in Delaware County, Iowa, recorded in Book 7 Plats, Page 65 of the records of the Delaware County Recorder,
>
> - and -
>
> Parcel C and E in the Southwest Quarter of Section 18, and Parcel C in the Northwest Quarter of Section 19, all in Township 89 North, Range 5, West of the 5th P.M., which said parcel is to be known as Prairie Hill Estates Subdivision.

AND WHEREAS Second Parties are the owners of real estate located in Delaware County, Iowa, legally described as follows:

> Parcel D, being part of the Northeast Quarter of the Northwest Quarter of Section 19, Township 89 North, Range 5, West of the 5th P.M. in Delaware County, Iowa, according to Plat recorded in Book 8 Plats, Page 47 of the Delaware County Recorder.

AND WHEREAS, the roadway leading to the herein described North Ridge Subdivision and Prairie Hill Estates Subdivision travels over and across the Northwesterly corner of the herein described Parcel D owned by Second Parties.

NOW, THEREFORE, in consideration of One dollar ($1.00) and other valuable consideration, paid by First Parties to Second Parties, receipt of which is hereby acknowledged and further in consideration of the mutual benefits to be gained by the parties they agree as follows:

1. Second Parties grant on to First Parties, their heirs, successors and assigns, and all current and future owners of lots in North Ridge Subdivision and the real estate to be known as Prairie Hill Estates Subdivision and all others lawfully using the same, an easement for access over and across that portion of the herein described Parcel D on which the roadway is currently located to service the said North Ridge Subdivision and the real estate to be known as Prairie Hill Estates Subdivision.

2. First Parties, for themselves, their heirs, successors and assigns, agree to pay or provide for, and hold the Second parties harmless from any and all costs with respect to construction, repairs and maintenance for said roadway. First Parties, their heirs, successors and assigns further agree to hold Second Parties, their heirs, successors and assigns harmless from any and all claims or causes of action that may arise as the result of the use of said portion of the herein described Parcel D for a roadway or access to the North Ridge Subdivision and the real estate to be known as Prairie Hill Estates Subdivision.

3. This easement shall run with the land and shall be binding upon the parties hereto, their heirs, successors and assigns.

Dated this 13th day of ~~April~~ May, 1999.

Daniel A. Schulte

William E. Gearhart

Ann L. Schulte

Diane Gearhart

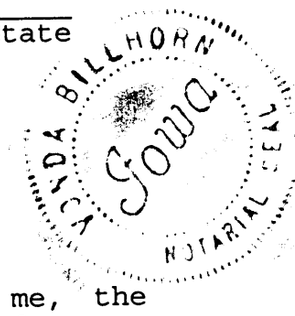
STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 13th day of ~~April~~ May, 1999, before me, the undersigned, a Notary Public in and for the State of Iowa,

personally appeared Daniel A. Schulte and Ann L. Schulte, 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.

Vonda Billhorn

Vonda Billhorn Notary Public In & For the State Of Iowa



STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 13th day of ~~April~~ May, 1999, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared William E. Gearhart and Diane Gearhart, 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.

Thomas J. Hanson

Thomas J. Hanson Notary Public In & For the State Of Iowa