DELAWARE COUNTY IOWA
FILED
2001 FE 15 AM 11 35
BOOK 2001 PAGE 484
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
N/C

THIS DOCUMENT WAS PREPARED BY MARK NAHRA, DELAWARE COUNTY ENGINEER'S OFFICE, 2139 HWY 38., DELAWARE, IA 52036 319-927-3505

EASEMENT FOR DRAINAGE STRUCTURE MAINTENANCE

KNOWN ALL PERSONS BY THESE PRESENTS THAT:

Blue Haven Farms, LTD, represented by Donald J. and Mary E. Weber; Daniel J. and Nancy J. Weber

In consideration of one dollar ($1.00) and other valuable consideration, in hand paid by Delaware County, hereby grants unto said Delaware County a permanent easement upon sellers real estate, hereafter referred to as the premises, for the purpose of culvert and waterway maintenance, construction, or replacement.

Said premises is situated in the County of Delaware, State of Iowa, to-wit:

Cross road drainage structure located approximately 1270 feet north of the intersection of 255th Avenue and 325th Street in section 27, township 87 north, range 4 west. Said easement is 100 feet wide east of the centerline of 255th Avenue beginning at the NW Corner of Section 27, Township 87 North, Range 4 West and extending south 200 feet.

The county agrees to restore areas disturbed in the course of performing drainage structure maintenance including the repair or replacement of fences, reseeding of pasture, or payment for crops disturbed by said maintenance work. The county will give the sellers 7 days notice prior to entry on the premises, except when said entry is for inspection of the existing drainage structure only. The county may inspect the structure without notice, as deemed necessary by the County Engineer.

This easement runs with the ownership of the land and the existing road easement and is valid until such time as the road is closed and the road easement is vacated by Delaware County.

BLUE HAVEN FARMS, LTD hereby covenant with the said Delaware County that BLUE HAVEN FARMS, LTD are lawfully seized of said premises; that said premises are free from encumbrance, that BLUE HAVEN FARMS, LTD have good and lawful authority to sell and convey the same, and BLUE HAVEN FARMS, LTD hereby covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever.

Signed on this 15th day of February A.D. 2001

STATE OF IOWA)
Delaware County)s.s
)

Donald J. Weber
Mary E. Weber
Landowner(s) of Record

Daniel J. Weber
Nancy J. Weber

On this 15th day of February A.D. 2001, before me, the undersigned Notary Public, personally appeared to me known Donald J. and Mary E. Weber to be the person(s) named herein and who executed the foregoing instrument, and acknowledge that Donald J. and Mary E. Weber executed the same as a voluntary act and deed.
Daniel J and Nancy J. Weber

MARK J. NAHRA
MY COMMISSION EXPIRES
7-2-2001

Mark J. Nahra
Notary Public in and for said County