DELAWARE COUNTY IOWA
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DEBORAH L. BEYON
DELAWARE CO RECORDER
N/C

Prepared by John W. Bernau, Delaware County Courthouse, 301 East Main Street, Manchester, Iowa 52057; 563-927-3819

EASEMENT FOR PERMANENT ACCESS TO LILLIBRIDGE CEMETERY, MILO TOWNSHIP, DELAWARE COUNTY, IOWA

THIS AGREEMENT, made this 13th day of November, 2001, by and between PAULINE B. THOMPSON and GARY LEE SANDS, Party of the First Part (Grantor); and DELAWARE COUNTY, IOWA, Party of the Second Part (Grantee);

WITNESSETH:

That the party of the First Part, in consideration of the sum of One Dollar ($1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to the Party of the Second Part, its successors and assigns, the perpetual right and easement to enter upon, and thereafter use, inspect, repair, maintain, replace and remove a permanent cemetery access, over, along, and across the following described real estate situated in Milo Township, Delaware County, Iowa.

> The Southeast Quarter (SE 1/4) of Section Eleven (11), Township Eighty-Eight (88) North, Range Five (5) West of the Fifth P.M., except commencing at the Southwest corner of the Southeast Quarter (SE 1/4), thence running Easterly along the South line of the Southeast Quarter (SE 1/4) seven hundred twenty-eight (728) feet to the point of beginning, thence North on a line parallel to the West line of the Southeast Quarter (SE 1/4) two hundred twenty-five (225) feet, thence Easterly on a line parallel with the South line of the Southeast Quarter (SE 1/4) four hundred eighty-six (486) feet, thence South two hundred twenty-five (225) feet, thence West four hundred eighty-six (486) feet to the point of beginning, all in Section Eleven (11), Township Eight-Eight (88) North, Range Five (5), West of the Fifth P.M.

THE EASEMENT shall be described as that part of the Westerly thirty (30) feet of the Southeast Quarter (SE 1/4) of Section Eleven (11), Township Eighty-Eight (88) North, Range Five (5) West of the Fifth P.M., Delaware County, Iowa, lying south of the south line of the existing cemetery. The intention is to give a thirty (30) foot easement along the westerly line of the Southeast Quarter (SE 1/4) of said Section Eleven (11) as access to the cemetery grounds.

The grantor agrees to erect no buildings, obstructions or other improvements upon or under the property covered by this easement which would interfere with the construction, reconstruction or maintenance of said cemetery access.

This easement and the rights herein described shall be binding upon the Grantor, its successors and assigns. This easement shall be perpetual and shall run with the land.

In Witness Whereof we hereunto sign our names the day and year last above written.

Pauline B. Thompson
Pauline B. Thompson
by Gary L. Sands P.O.A.

Gary Lee Sands
Gary Lee Sands

DELAWARE COUNTY, IOWA

By: William Skinner
William Skinner, Chairman
Delaware County Board of Supervisors

By: Sharon McCrabb
Sharon McCrabb, Auditor

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

On this 13th day of November, 2001, before me, a Notary Public in and for the State of Iowa, personally appeared Pauline B. Thompson and Gary Lee Sands, to me personally known, and acknowledged the execution of this instrument to be their voluntary act and deed.

NOTARIAL SEAL IOWA
KATHY M. HAUSCHILD
COMMISSION NO. 155818
MY COMMISSION EXPIRES
4-19-02

Kathy M. Hauschild
Notary Public, State of Iowa

On this 13th day of November, 2001, before me, a Notary Public in and for the State of Iowa, personally appeared William Skinner and Sharon McCrabb to me personally known, and who, being by me duly sworn, did say that they are the Chairperson of the Board of Supervisors and County Auditor, respectively, of the County of Delaware, Iowa; that the seal affixed to the foregoing instrument is the county seal of the county and that the instrument was signed and sealed on behalf of the county, by authority of its Board of Supervisors, as contained in Ordinance No. _____ passed (or Resolution adopted) by the Board of Supervisors under Roll Call No. _____ of the Board of Supervisors on the 13 day of November, 2001, and William Skinner and Sharon McCrabb acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the county, by it voluntarily executed.

NOTARIAL SEAL IOWA
KATHY M. HAUSCHILD
COMMISSION NO. 155818
MY COMMISSION EXPIRES
4-19-02

Kathy M. Hauschild
Notary Public, State of Iowa