Cornelius A. Van Berkum
1090 34th St.
Marion IA 52302

DELAWARE COUNTY IOWA
FILED

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BOOK 2002 PAGE 2314
DEBORAH PEYTON
DELAWARE CO RECORDER

16.00

Craig Elliott 207 West Main Street Anamosa, Iowa 52205 319-462-4361

# PERMANENT EASEMENT AGREEMENT

WHEREAS Mary Jean Thiede, a single person is the titleholder of the following real estate located in Delaware County, Iowa:

Lot Thirteen C (13C) of Cedar Acres Subdivision In The SW¼, Section 24, T88N, R5W Of the 5th P.M. Delaware County, Iowa, according to plat recorded in Book 4 Plats, Page 135. (Hereinafter referred to Lot 13C.)

AND ALSO

Lot Fourteen (14) of Cedar Acres Subdivision In The SW¼, Section 24, T88N, R5W Of the 5th P.M. Delaware County, Iowa, according to plat recorded in Book 4 Plats, Page 135. (Hereinafter referred to Lot 14.)

AND WHEREAS Cornelius A. Van Berkum and Georgia J. Van Berkum, husband and wife are titleholders of the following real estate in Delaware County, Iowa:

Lot Twenty-One (21) of Cedar Acres Subdivision In The SW¼, Section 24, T88N, R5W Of the 5th P.M. Delaware County, Iowa, according to plat recorded in Book 4 Plats, Page 135. (Hereinafter referred to Lot 21.)

AND WHEREAS Lot 13C and Lot 14 adjoin each other and are located on the Maquoketa River;

AND WHEREAS Cornelius A. Van Berkum and Georgia J. Van Berkum own a boat shed and a boat dock which is located either on Lot 13C or Lot 14, or upon the boundary line between these two properties;

AND WHEREAS Cornelius A. Van Berkum and Georgia J. Van Berkum wishes to cross Lot 13C and Lot 14 to obtain access to this boat shed and boat dock;

AND WHEREAS the parties wish to enter into an agreement for an easement to place this boat shed and boat dock on Lot 13C and/or Lot 14 and allowing an easement for ingress and egress to gain access to this boat shed and boat dock.

IT IS THEREFORE AGREED between the Parties as follows:

1. MARY JEAN THIEDE does hereby grant to CORNELIUS A. VAN BERKUM and GEORGIA J. VAN BERKUM, and their heirs, successors and assigns a permanent easement to keep a boat shed and a boat dock located at the present location of the existing boat shed and boat dock owned by Cornelius A. Van Berkum and Georgia J. Van Berkum. This boat shed and boat dock is located either on Lot 13C or Lot 14, or upon the boundary line between these two properties.

2. Mary Jean Thiede does also grant to Cornelius A. Van Berkum and Georgia J. Van Berkum and their heirs, successors and assigns a permanent easement for ingress and egress to enter over and across a roadway currently located along the property line between Lots 13C and Lot 14, and from the end of said roadway over and across a strip of land located on the boundary line between Lots 13C and Lot 14 to the edge of the Maquoketa River, and then over a strip of land from the edge of the Maquoketa River to the boat shed and boat dock owned by Cornelius A. Van Berkum and Georgia J. Van Berkum. The easement across this strip of land at the end of the roadway to the Maquoketa River, and then to the boat shed and boat dock shall be the same width as the roadway.

3. Cornelius A. Van Berkum and Georgia J. Van Berkum and their heirs, successors and assigns shall be responsible for the maintenance of the boat shed and boat dock and shall assume liability and hold Mary Jean Thiede harmless from any liability arising from the use of this easement.

4. This easement is granted from Mary Jean Thiede to Cornelius A. Van Berkum and Georgia J. Van Berkum for One Dollar ($1.00) and other valuable consideration, receipt of which is hereby acknowledged.

5. This easement shall run with the land with Lot 13C, Lot 14 and Lot 21 and be binding upon the heirs, successors and assigns of Mary Jean Thiede and upon the heirs, successors and assigns of Cornelius A. Van Berkum and Georgia J. Van Berkum.

Dated this 21st day of June, 2002.

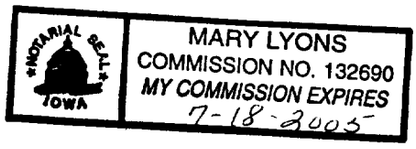
Mary Jean Thiede
Mary Jean Thiede

Cornelius A. Van Berkum
Cornelius A. Van Berkum

Georgia J. Van Berkum
Georgia J. Van Berkum

STATE OF IOWA, JONES COUNTY: ss

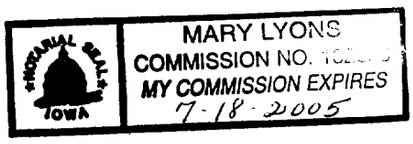
On this 21st day of June, 2002, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared, Mary Jean Thiede, to me known to be the identical persons named in and who excuted the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.




Mary Lyons
Notary Public in and for the State of Iowa

STATE OF IOWA, JONES COUNTY: ss

On this 21st day of June, 2002, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared, Cornelius A. Van Berkum and Georgia J. Van Berkum, to me known to be the identical persons named in and who excuted the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.




Mary Lyons
Notary Public in and for the State of Iowa