DELAWARE COUNTY IOWA
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DEBORAH L. PEYTON
DELAWARE CO. RECORDER
16.00

John Leytem
2956 320th St.
Hopkinton, IA 52237-7602

Prepared by: Michael Bowman, P.O. Box 351, Monticello, IA 52310 (319)465-5448

EASEMENT AGREEMENT

AGREEMENT made July 15, 2003, of and between Robert Lamont and Marguerite Lamont, (Grantors) and John Leytem and Jane Leytem, husband and wife, (Grantees), concerning an easement for possible flooding associated with an agricultural drainage tile.

The Grantees have established a plan for the development of an improvement on a agricultural drainage tile that runs from Grantors property to Grantees property. A dike has been constructed as a potential obstruction to the agricultural drainage tile that formerly ran unobstructed across both the Grantors and Grantees properties.

The Grantors' property to be affected by the easement is described as follows: The SE 1/4, except the road and further excepting the south 2 Rods of the SW 1/4 SE 1/4, Section 20, T87N, R3W of the Fifth P.M., Delaware County, Iowa

The Grantees' property on which the improvement will be made is described as follows:
The SE 1/4 SW 1/4, of Section 20, T87N, R3W of the Fifth P.M., and the south 2 Rods of the SW 1/4 SE 1/4 of Section 20, T87N, R3W of the Fifth P.M., Delaware County, Iowa

Therefore, for the sum if One Dollar ($1.00) and other valuable consideration, Grantors convey to Grantees a perpetual easement allowing for the possibility of flooding on the Grantors property due to the creation on the Grantees property of a dike and other improvements across the aforementioned drainage tile.

Grantee will be solely responsible for the maintenance and repair of the dike and improvements made on the drainage tile on Grantees property.

This agreement shall be binding upon the heirs, assigns, and successors in interest to the agreeing parties.

DATED this 15th of July, 2003.

Robert Lamont

Marguerite Lamont

John Leytem

Jane Leytem

STATE OF IOWA)
COUNTY OF ~~JONES~~ Delaware ss.)

On this 15th day of July, 2003, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Robert Lamont, Marguerite Lamont, John Leytem, and Jane Leytem, to me known to be the identical persons named in and who executed the within and foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

RACHEL L. LEYTEM
Commission Number 196499
My Commission Expires
5-18-2004

Notary Public