DELAWARE COUNTY IOWA
FILED
2001 MY 19 PM 12:
BOOK 204 PAGE 1246
DEBORAH L. FEYTON
DELAWARE CO RECORDER
21.00

Harold Nieman
2605 250th St.
Delhi, IA 52223

Carr & Carr Lawyers 117 S. Franklin Street PO Box 333 Manchester, IA 52057 (563) 927-4164

EASEMENT AND AGREEMENT

Harold G. Nieman and Bernadine I. Nieman, husband and wife, hereinafter Niemans, and Duane J. Domeyer, hereinafter Domeyer, in consideration of the matters stated herein agree as follows:

1. Niemans herewith grant to Domeyer, his designees, heirs and successors a permanent access easement across the property owned by them and described as follows:

> The West 66 feet of that part of the North five-eighths of the Southeast Quarter of Section 5, Township 88 North, Range 4, West of the Fifth P.M. that lies North of the centerline of 235th Avenue

2. Domeyer agrees to pay Niemans the sum of $100.00 for this easement.

3. Niemans shall maintain the easement.

4. This easement shall allow complete access to property owned by Domeyer adjoining to the north of Niemans' property.

5. Niemans and Domeyer agree that the present north-south fence in place running the length of the easement shall be removed and the quarter section line lying to the west thereof constitutes the west boundary line and is the west line of this easement.

6. Niemans and Domeyer further agree that the north property line of the North

five-eights of the Southeast Quarter of Section 5, Township 88 North, Range 4, West of the Fifth P.M. is the quarter section line and divides Niemans property from Domeyer property adjoining to the north. Niemans are responsible for any fencing on the east one-half of such line and Domeyer is responsible for any fencing on the west one-half thereof.

7. This easement and agreement is perpetual and shall be binding upon all designees, heirs or successors of the parties hereto.

Dated this 19th day of May, 2004.

Harold G. Nieman

Bernadine I. Nieman

Duane J. Domeyer

STATE OF IOWA, DELAWARE COUNTY, ss.

On this 19th day of May, 2004 before me the undersigned a notary public in and for said county personally appeared Harold G. Nieman and Bernadine I. Nieman 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.

E. Michael Carr
Notary Public in and for the State of Iowa



STATE OF IOWA, DELAWARE COUNTY, ss.

On this 19th day of May, 2004 before me the undersigned a notary public in and for said county personally appeared Duane J. Domeyer to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

E. Michael Carr
Notary Public in and for the State of Iowa

