Fulton Bank
Attn: Marlys

DELAWARE COUNTY IOWA
FILED
2004 JUL 28 AM 8:48
BOOK 2004 PAGE 2798
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
7.00

Preparer
Information:

Marlys Rees 2678 255th Street Delhi, IA 52223 563-922-9023

EASEMENT AGREEMENT

AGREEMENT made July 27, 2004, by and between Douglas K. and Christine M. Huber, husband and wife, (Grantors) and Dale Joseph Keith, a single person, (Grantee), concerning an easement for an earthen dam encroaching onto the Eastern side of Grantors' property.

The Grantee has established a plan for the development of a dam and pond for conservation purposes wherein the dam encroaches onto Grantors' property. Grantors agree that no livestock will be allowed on the dam and will maintain the fence across the dam.

Grantors' property to be affected by the easement is described as follows:

> The East fifty (50) feet of the South three hundred (300) feet of Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼) of Section Twenty-six (26), Township Eighty-eight North (T88N) Range Four West (R4W) of the 5th P.M., Delaware County, Iowa.

135-58

Grantee's property upon which conservation project will be made is described as follows:

> The W ½ NW ¼, Sec. 25, Twp. 88 N, R4, W of the 5th P.M., Delaware County, Iowa.

130-43

THEREFORE, for the sum of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION, Grantors convey to Grantee a perpetual easement allowing for the construction and maintenance of the earthen dam for conservation purposes.

Grantee will be solely responsible for construction, maintenance and repair of dam. This agreement shall run with the land and shall be binding upon the heirs, assigns and successors in interest to the agreeing parties.

Douglas K. Huber
Douglas K. Huber, Grantor

Dale Joseph Keith
Dale Joseph Keith, Grantee

Christine M. Huber
Christine M. Huber, Grantor

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

On this 27th day of July, 2004, before me, the undersigned, a Notary Public in and for the County and State, personally appeared Douglas K. Huber, Christine M. Huber and Dale Joseph Keith, 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.

Marlys Rees
Notary Public in and for the
State of Iowa

Marlys Rees
COMMISSION NUMBER 191318
My Commission Expires
7-24-06