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DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

George A. Davis, Locher & Locher, 202 2nd Avenue NW, Box 7, Farley, IA 52046 Phone: (563) 744-3359

AMENDED EASEMENT AGREEMENT

Angela Kruse and her husband, Ralph Oberbroeckling, (First Party) and John A. Bonert and Colleen K. Bonert, husband and wife, (Second Party) state and agree as follows:

1. The Easement Agreement dated March 2, 2005 and recorded on March 3, 2005 in Book 2005, Page 710 of the records of the Delaware County Recorder by Angela Kruse and Ralph Oberbroeckling contains various errors and is null and void and replaced by this Amended Easement Agreement.

2. The following property has been sold on Real Estate Contract by First Party to Second Party by a certain Real Estate Contract-Installments dated March 2, 2005 and recorded on March 3, 2005 in Book 2005, Page 709 of the records the Delaware County Recorder. This Real Estate Contract-Installments covers the following parcels:

Parcel 1: Parcel E of part of Parcel D in the NW fractional quarter of the NW fractional quarter, Section 5, Township 89 North, Range 3 West of the 5th P.M., Delaware County, Iowa.

Parcel 2: Parcel C and part of the NW fractional quarter of the NW fractional quarter of Section 5, Township 89 North, Range 3 West of the 5th P.M., Delaware County, Iowa, according to the recorded plat in Book 2004, Page 4319.

Parcel 3: Parcel F of Parcel D in the NW fractional quarter of the NW fractional quarter of Section 5, Township 89 North, Range 3 West of the 5th P.M., Delaware County, Iowa.

3. Angela Kruse also retains ownership to the following legally described property:

Parcel 4: The NW fractional quarter of the NW fractional quarter, and the North ½ of the SW 1/4 of the NW 1/4 of Section 5, and the North ½ of the NE 1/4 of Section 6, Township 89 North, Range 3 West of the 5th P.M.

4. The First Party and Second Party agree that there shall exist a thirty (30) foot access easement over Parcel 1 and Parcel 3 so that the owner of Parcel 2, Parcel 3 and Parcel 4 may have access to 160th Street. The current owners and any successors, heirs and assigns of Parcel 2, Parcel 3 and Parcel 4 shall have the right of access from Parcels 1 and 3 to 160th Street. This agreement shall be binding on any successors, heirs and assigns of Parcel 1, 2, 3 and 4.

5. The cost of construction, reconstruction, maintenance and repair of said access easement between 160th Street and Parcel 2, Parcel 3 and Parcel 4 shall be the sole responsibility of the owner of Parcel 1 and Parcel 3.

6. The access easement shall be located over the current agricultural access way to Parcels 2, 3 and 4 over Parcels 1 and 3.

Signed on this 12 day of July, 2005.

Angela Kruse
Angela Kruse

John A. Bonert
John A. Bonert

Ralph Oberbroeckling
Ralph Oberbroeckling

Colleen K. Bonert
Colleen K. Bonert

STATE OF IOWA)
) ss:
DUBUQUE COUNTY)

On this 12 day of July, 2005, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Angela Kruse and Ralph Oberbroeckling, wife and husband, to me known to be the identical persons name in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

NOTARIAL SEAL IOWA
GEORGE A. DAVIS
COMMISSION NO. 199715
MY COMMISSION EXPIRES
12-17-07

Notary Public

STATE OF IOWA)
Delaware) ss:
~~DUBUQUE~~ COUNTY)

On this 27th day of June, 2005, before me, the undersigned, a Notary Public in and for said County and State, personally appeared John A. Bonert and Colleen K. Bonert, husband and wife, to me known to be the identical persons name in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

NOTARIAL SEAL IOWA
JEANETTE K. THEIN
COMMISSION NUMBER 139384
My Comm. Exp. 5-1-07

Notary Public