Book 2005 Page 3652
Document 2005 3652 Type 06 006 Pages 3
Date 10/10/2005 Time 3:58 PM
Rec Amt $17.00

DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

EASEMENT AGREEMENT
Recorder's Cover Sheet

Preparer Information:
William D. Werger, 401 East Main Street, Manchester, (563) 927-5920

Taxpayer Information:
Adam S. Sheppard
3153 215th Avenue
Hopkinton, IA 52237

Return Address
William D. Werger
401 East Main Street
Manchester, IA 52057

Grantors:
Steven J. Sheppard, Mary K. Sheppard and Ona Maxine Wilson

Grantees:
Adam S. Sheppard

Legal Description: See Page 2

Document or instrument number if applicable:

William D. Werger 401 East Main Manchester (563) 927-5920
Preparer Information

EASEMENT AGREEMENT

WHEREAS, Steven J. Sheppard and Mary K. Sheppard as contract purchasers and Ona Maxine Wilson as contract seller, hereinafter collectively known as Grantors, are the owners of the following real estate:

> The Southeast Quarter (SE ¼) of the Southwest Quarter (SW ¼) of Section Thirteen (13), Township Eighty Seven (87) North, Range Five (5) West of the Fifth Principal Meridian; and

WHEREAS, the following described real estate will be conveyed to Adam S. Sheppard, hereinafter referred to as Grantee to be accessed by the easement described and granted herein:

> Parcel C, Part Of The SE ¼ - SW ¼, Sec. 13, T87N, R5W Of The Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2005, Page 3333.

WHEREAS, the Grantors desire to provide for access to said parcel across the remainder of the property to the county road locally known as 310th Street; and

NOW, THEREFORE, in consideration of the agreements stated herein and other good and valuable consideration, on this 7th day of October, 2005, it is agreed that:

1. A thirty (30) foot wide permanent, non-exclusive, and perpetual access and utility easement is hereby granted to Grantee and his heirs, assigns and successors in interest appurtenant to Parcel C as described and shown on the plat recorded in Book 2005, Page 3333.

2. Grantee shall be responsible for the construction, maintenance and upkeep of any access road located within the easement area. Grantors may make limited use of the access for farming purposes, but if the use is more than occasional, Grantors shall share in the cost of maintenance and upkeep in proportion to the relative use made by the parties.

Steven J. Sheppard

Ona Maxine Wilson

Mary K. Sheppard

Adam S. Sheppard

STATE OF IOWA, DELAWARE COUNTY: ss

On this 7th day of October, 2005, before me, the undersigned Notary Public in and for said State, personally appeared Steven J. Sheppard and Mary K. Sheppard 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.

KEITH A. KRAMER
Iowa Notarial Seal
Commission Number: 121093
My Commission Expires: 02/19/07

Notary Public In And For The State Of Iowa

STATE OF IOWA, DELAWARE COUNTY: ss

On this 7th day of October, 2005, before me, the undersigned Notary Public in and for said State, personally appeared Ona Maxine Wilson, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

KEITH A. KRAMER
Iowa Notarial Seal
Commission Number: 121093
My Commission Expires: 02/19/07

Notary Public In And For The State Of Iowa

STATE OF IOWA, DELAWARE COUNTY: ss

On this 6th day of October, 2005, before me, the undersigned Notary Public in and for said State, personally appeared Adam S. Sheppard, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

WILLIAM D. WERGER
Commission Number 129812
My Commission Expires
October 6, 2007

Notary Public In And For The State Of Iowa