Arnold J. Rinker
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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

Prepared by & return to: Carr & Carr Lawyers, PO Box 333, Manchester, Iowa 52057 (563) 927-4164
Grantor: Forrest L. Scanlan and Charline E. Scanlan Grantee: Lloyd Funke and Contance J. Funke

EASEMENT

Forrest L. Scanlan and Charline E. Scanlan, husband and wife hereinafter called grantor, and owners of the land legally described as follows:

The South 10 feet of the East 193.3 feet of Parcel A Part Of The SW¼ - NE¼ Sec. 35, T89N, R6W Of The Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2006, Page 303.

For good and valuable consideration receipt of which is acknowledged, hereby grant Lloyd Funke and Constance J. Funke, husband and wife hereinafter called grantee, and owners of the land legally described as follows:

The Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) except the South 160 feet of the West 550 feet of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼), all in Section Thirty-five (35), Township Eighty Nine (89) North, Range Six (6), West of the Fifth P.M. subject to easements and roadways of record.

The following:

1. An easement for the use of the space occupied by a building located on grantees property which encroaches approximately six inches onto grantors property together with such rights of entry upon, passage over, and storage of materials and equipment on grantors property as may be necessary for the maintenance of the building.

2. This grant of easement shall run with the land and shall be binding upon and shall inure to the benefits of the parties herein, their heirs, successors and assigns.

3. Grantee agrees to forever hold harmless grantor from all claims of any kind or nature relating to said building.

4. This easement is for the benefit to grantees property hereto for described, and said easement shall terminate when said building is destroyed.

Dated this 28th day of February, 2006.

Forrest L. Scanlan

Forrest L. Scanlan

Lloyd Funke

Lloyd Funke

Charline E. Scanlan

Charline E. Scanlan

Constance J. Funke

Constance J. Funke

STATE OF IOWA, DELAWARE COUNTY

On this 28th day of February, 2006 before me the undersigned a notary public in and for said county personally appeared Forrest L. Scanlan and Charline E. Scanlan 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.

RANDLE R FIDDELKE
Notarial Seal - Iowa
Commission # 100001
My Commission Expires 3-24-08

Notary Public in and for the State of Iowa

STATE OF IOWA, DELAWARE COUNTY

On this 28th day of February, 2006 before me the undersigned a notary public in and for said county personally appeared Lloyd Funke and Constance J. Funke 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.

RANDLE R FIDDELKE
Notarial Seal - Iowa
Commission # 100001
My Commission Expires 3-24-08

Notary Public in and for the State of Iowa