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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

EASEMENT AGREEMENT

Recorder's Cover Sheet

Preparer Information:
Thomas J. Hanson
401 East Main Street
Manchester, Iowa 52057
(563) 927-5920

Taxpayer Information:
Kevin K. Topping
1029 Clearview Drive
Manchester, IA 52057

Return Address
Thomas J. Hanson
401 East Main Street
Manchester, Iowa 52057

Grantors:
John R. Woodhouse
Edna K. Woodhouse

Grantees:
Kevin K. Topping
Barbara A. Topping
Elaine Gail Oberreuter
Steven M. Oberreuter

Legal Description: Page 2

EASEMENT AGREEMENT

This Agreement entered into this 23 day of August, 2007 by and between John R. Woodhouse and Edna K. Woodhouse, a/k/a E. Katherine Woodhouse, husband and wife (hereinafter First Parties) and Kevin K. Topping and Barbara A. Topping, husband and wife AND Elaine Gail Oberreuter and Steven M. Oberreuter, wife and husband (hereinafter Second Parties).

WHEREAS, Second Parties are the owners of the following described real estate located in Delaware County, Iowa and legally described as follows:

> Lot One Hundred Twenty Eight (128) of "Clair-View Acres at Delhi, Iowa" in Sections Twenty Three (23) and Twenty Six (26), Milo Township, Delaware County, Iowa, according to plat recorded in Book 2 Plats, Page 200
>
> All that land lying westerly of Lot 128, in "Clair-View Acres", at Delhi, Iowa, within the extensions of the southwesterly and northerly sides of said Lot 128, which is part of that property described in Book 96, Page 176, in the office of the County Recorder of Delaware County, Iowa on October 3, 1974, extending into Lake and to the center of Maquoketa River.

AND WHEREAS, First Parties are the owners of the following described real estate located in Delaware County, Iowa:

> Parcels S and T of the Plat of Survey of Parcels S, T and U, part of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section Twenty Three (23), Township Eighty Eight (88) North, Range Five (5), West of the 5th P.M. in Delaware County, Iowa according to plat recorded in Book 2004-3150 of the records of the Delaware County Recorder.

AND WHEREAS, Second Parties seek an easement over and across a portion of First Parties' real estate in order to obtain access across an existing roadway that runs from 210th Avenue on the east in a westerly direction to the roadway easement for Clair-View Acres in Clair-View Acres Subdivision.

NOW, THEREFORE, in consideration of $1.00 and other valuable consideration paid by Second Parties to First Parties they agrees as follows:

1. First Parties hereby grant unto Second Parties, their heirs, successors and assigns an easement for ingress and egress over and across the existing roadway running from 210th Avenue on the east over and across the above described real estate owned by First Parties and connecting with the roadway easement for Clair-View Acres in Delhi, Iowa on the westerly end of said roadway.

2. First Parties and Second Parties, their heirs, successors and assigns, agree not to block the roadway such that it will be open for vehicular traffic, walking traffic or similar traffic necessary to provide access from 210th Avenue to the real estate owned by Second Parties.

3. The cost of any maintenance of said roadway required by Second Parties, their heirs, successors and assigns, shall be paid solely by Second Parties.

4. The easement for access granted by the First Parties herein will be a covenant running with the land and binding upon the parties hereto, their heirs, successors and assigns.

First Parties:

John R. Woodhouse

Edna K. Woodhouse a/k/a E. ~~Katherine~~ Kathleen (EKW) Woodhouse

Second Parties:

Kevin K. Topping

Barbara A. Topping

Elaine Gail Oberreuter

Steven M. Oberreuter

STATE OF IOWA, COUNTY OF DELAWARE, ss:

On this 22nd day of August, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared, John R. Woodhouse and Edna K. Woodhouse, a/k/a E. ~~Katherine~~ Kathleen Woodhouse, husband and wife, 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.

DAVID F SMITH
Notarial Seal - Iowa
Commission # 185444
My Commission Expires 7-3-08

Notary Public in and for the State of Iowa

STATE OF IOWA, COUNTY OF DELAWARE, ss:

On this 22nd day of August, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared, Kevin K. Topping and Barbara A. Topping, husband and wife, 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.

DAVID F SMITH
Notarial Seal - Iowa
Commission # 185444
My Commission Expires 7-3-08

Notary Public in and for the State of Iowa

STATE OF IOWA, COUNTY OF DELAWARE, ss:

On this 22nd day of August, 2007, before me, the undersigned, a Notary Public in and for said State, personally appeared, Elaine Gail Oberreuter and Steven M. Oberreuter, wife and husband, 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.

DAVID F SMITH
Notarial Seal - Iowa
Commission # 185444
My Commission Expires 7-3-08

Notary Public in and for the State of Iowa