Midland Escrow Services
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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by & Return to: Steven E. Carr, PO Box 333, Manchester, Iowa 52057 (563) 927-4164
Grantors: John C. McNally and Sally J. McNally Grantee: Robert Bernard and Elner Bernard

EASEMENT

John C. McNally and Sally J. McNally, husband and wife hereinafter McNallys and Robert Bernard and Elner Bernard, husband and wife hereinafter Bernards in consideration of their mutual promises and performances herein agree as follows:

1. McNallys are the owners of the following described real estate:

   Lot 48 Turtle Creek Camp Replat being part of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4), part of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4), and part of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) all in Section Twenty-six (26), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa; also being part of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4), and part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4), Section Twenty-five (25), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 1999, Page 4340.

2. Bernards are the owners of the following described real estate:

   Lot 47 Turtle Creek Camp Replat being part of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4), part of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4), and part of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) all in Section Twenty-six (26), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa; also being part of the Northwest Quarter (NW1/4) of the Northwest Quarter (NW1/4), and part of the Southwest Quarter (SW1/4) of the Northwest Quarter (NW1/4), Section Twenty-five (25), Township Eighty-eight North (T88N), Range

Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 1999, Page 4340.

3. Part of Bernards septic/leach line extends into the adjoining property owned by McNallys.

4. McNallys grant to Bernards an easement for ingress and egress to and from the area to maintain, inspect, rebuild, repair or replace the septic/leach line.

5. Bernards shall use all necessary care in maintaining the septic/leach line and shall restore McNallys land to its present condition in the event underground work is necessary.

6. This agreement shall be binding upon the heirs, successors and assigns of the owners of the property described herein.

Dated this 22 day of August, 2007.

John C. McNally

Robert Bernard

Sally J. McNally

Elner Bernard

STATE OF IOWA)
) ss.
Black Hawk COUNTY)

This instrument was acknowledged before me on this 22 day of August, 2007 by John C. McNally and Sally J. McNally.

MARY L. BECKER
COMMISSION NO. 107475
MY COMMISSION EXPIRES
5-14-08

Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
Black Hawk COUNTY)

This instrument was acknowledged before me on this 22 day of August, 2007 by Robert Bernard and Elner Bernard

MARY L. BECKER
COMMISSION NO. 107475
MY COMMISSION EXPIRES
5-14-08

Notary Public in and for the State of Iowa