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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

EWS

Prepared by and Return to:
Atty. Jay A. Willems, 209 E. Main St., PO Box 228, Anamosa, IA 52205-0228; Telephone (319)462-3577
Taxpayer Information: N/A
Grantors: Donald & Mary Weber
Grantee: Blue Haven Farms, Ltd.
Legal Description: Pg. 1
Document or instrument number if applicable:

2008-4161
89-36
101-3
101-55

EASEMENT AGREEMENT

WHEREAS, Donald Weber and Mary Weber, husband and wife, as joint tenants with full right of survivorship and not as tenants in common (hereinafter called "Weber"), are owners of Parcel No. "B," legally described as follows:

> **Parcel No. "B," being a parcel of land located in the NW1/4 NE1/4 of Section 27, Township 87 North, Range 4, West of the 5th P.M., Delaware County, Iowa, all as more particularly described in the Plat of Survey filed of record on April 21, 2008, as Document No. 2008 1257, Delaware County Recorder's office, containing gross acres of 3.36.**

2008-403

WHEREAS, Blue Haven Farms, Ltd. (hereinafter called "Blue Haven") is the owner of Parcel No. "D," legally described as follows:

> **Parcel No. "D," being a parcel of land located in the N1/2 NE1/4 of Section 27, Township 87 North, Range 4, West of the 5th P.M., Delaware County, Iowa, all as more particularly described in the Plat of Survey filed of record on April 21, 2008, as Document No. 2008 1259, Delaware County Recorder's office, containing gross acres of 61.85.**

WHEREAS, Blue Haven is desirous of having an easement for ingress and egress across the southeast corner of Parcel "B" owned by Weber.

IT IS THEREFORE MUTUALLY AGREED BY AND BETWEEN THE UNDERSIGNED AS FOLLOWS:

1. Weber, as owners of Parcel "B" as aforedescribed, do hereby grant to Blue Haven a 30-foot-wide easement for purposes of ingress and egress across the southeast corner of Parcel "B," all as more specifically

set forth in detail on the plat of survey of Parcel No. "B" as described above. The use of this easement is limited to ingress and egress to allow Blue Haven to gain access to Parcel No. "D."

2. Inasmuch as this easement is for the benefit of Blue Haven, Blue Haven shall be solely responsible for all costs of maintaining such 30-foot-wide easement.

3. This easement shall be deemed to run with the ground and shall be binding upon and inure to the benefit of the successors, heirs and assigns of both parties hereto.

Donald J. Weber
Donald Weber

Mary E. Weber
Mary Weber

BLUE HAVEN FARMS, LTD.

David Hosch
David Hosch, President

Dale Hosch VP
Dale Hosch, Vice President

STATE OF IOWA, COUNTY OF Jones : ss.

On this 26th day of August, 2008, before me, the undersigned, a Notary Public in and for said state, personally appeared Donald Weber and Mary Weber, 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.

JAY A. WILLEMS
COMMISSION NO. 100561
MY COMMISSION EXPIRES
AUGUST 29, 2011

Jay A Willems
Notary Public in and for said County and State

STATE OF IOWA, COUNTY OF Jones : ss.

On this 21st day of August, 2008, before me, the undersigned, a Notary Public in and for said State, personally appeared and , to me personally known, who, being by me duly sworn, did say that they are the and , respectively, of said corporation executing the within and foregoing instrument; that said instrument was signed on behalf of said corporation by authority of its Board of Directors; that the said and acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Amy M. Schirm
Notary Public in and for said County and State

AMY M. SCHIRM
COMMISSION NO. 157269
MY COMMISSION EXPIRES
AUGUST 9, 2011