250-11.00-011.30
Parcel # 250.11.00.011.20
Carla K. Becker Auditor
Verified By: Paula Hargrafen

Book 2009 Page 3082

Document 2009 3082 Type 03 006 Pages 4
Date 8/06/2009 Time 9:44:20AM
Rec Amt $24.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY/RETURN TO: WILLIAM P. PROWELL, SHUTTLEWORTH & INGERSOLL, P.L.C., P.O. Box 2107, Cedar Rapids, IA 52406-2107, (319) 365-9461

Legal Description - page 4

ADDENDUM TO DRAINAGE AND TILE LINE EASEMENT

A. Gary Lee Sands and Penny K. Sands, husband and wife, appear as Grantor and G. Wall Farms, LLC appears as Grantee in that certain Drainage and Tile Line Easement dated December 10, 2008 and filed December 15, 2008 in Book 2008, Page 3768 of the records of the Delaware County, Iowa Recorder.

B. Said Drainage and Tile Line Easement provides, in pertinent part, that a more specific legal description would be determined for the Easement Area as defined therein at such time as the tile was installed or its location for installation determined and would generally include an area 30 feet on either side of the centerline of the tile line.

C. The tile has now been installed and the Grantor and Grantee wish to file this instrument to more specifically locate the Easement Area.

In consideration of the mutual undertakings set forth herein and other good and valuable consideration the receipt and sufficiency of which are acknowledged, the parties hereto agree as follows:

1. Attached hereto as Exhibit A is a drawing which depicts a portion of the Grantor's Parcel (as described in the Drainage and Tile Line Easement) and all or a portion of the property purchased by Grantee from Grantor and described on Exhibit B to the Drainage and Tile Line Easement.

2. Marked on Exhibit A with a bold, black line is the 10 inch main which is the tile line located on the Sands property otherwise known as the Grantor's Parcel and the parties agree that the location of this bold, black line is the centerline of a the 30 foot wide easement and is, therefore, the Easement Area as described in the Drainage and Tile Line Easement.

3. Except as amended hereby, the terms and conditions of the Drainage and Tile Line Easement shall remain in full force and effect.

4. This Addendum shall be governed by and interpreted in accordance with the laws of the State of Iowa.

5. The provisions of this Addendum shall inure to the benefit of and be binding on the parties and their respective heirs, legal representatives, successors and assigns.

6. Invalidity or unenforceability of any provision of this Addendum shall not affect the validity or enforceability of any other provision.

7. This Addendum may be executed in one or more counterparts and all of such counterparts taken together shall constitute one and the same instrument.

Dated: 7/16, 2009.

GRANTOR:

Gary Lee Sands

Gary Lee Sands

Penny K. Sands

Penny K. Sands

STATE OF IOWA)
) SS:
COUNTY OF DELAWARE)

This instrument was acknowledged before me this 16 day of July, 2009 by Gary Lee Sands and Penny K. Sands, husband and wife.

JAMES G WILSON
Commission Number 756211
My Commission Expires
December 12, 2011

James G. Wilson

Notary Public

James G. Wilson

Dated: 7/31, 2009.

GRANTEE:

G. WALL FARMS, LLC

BY: George Wall

George Wall, Member and Manager

STATE OF IOWA)
) SS:
COUNTY OF DELAWARE)

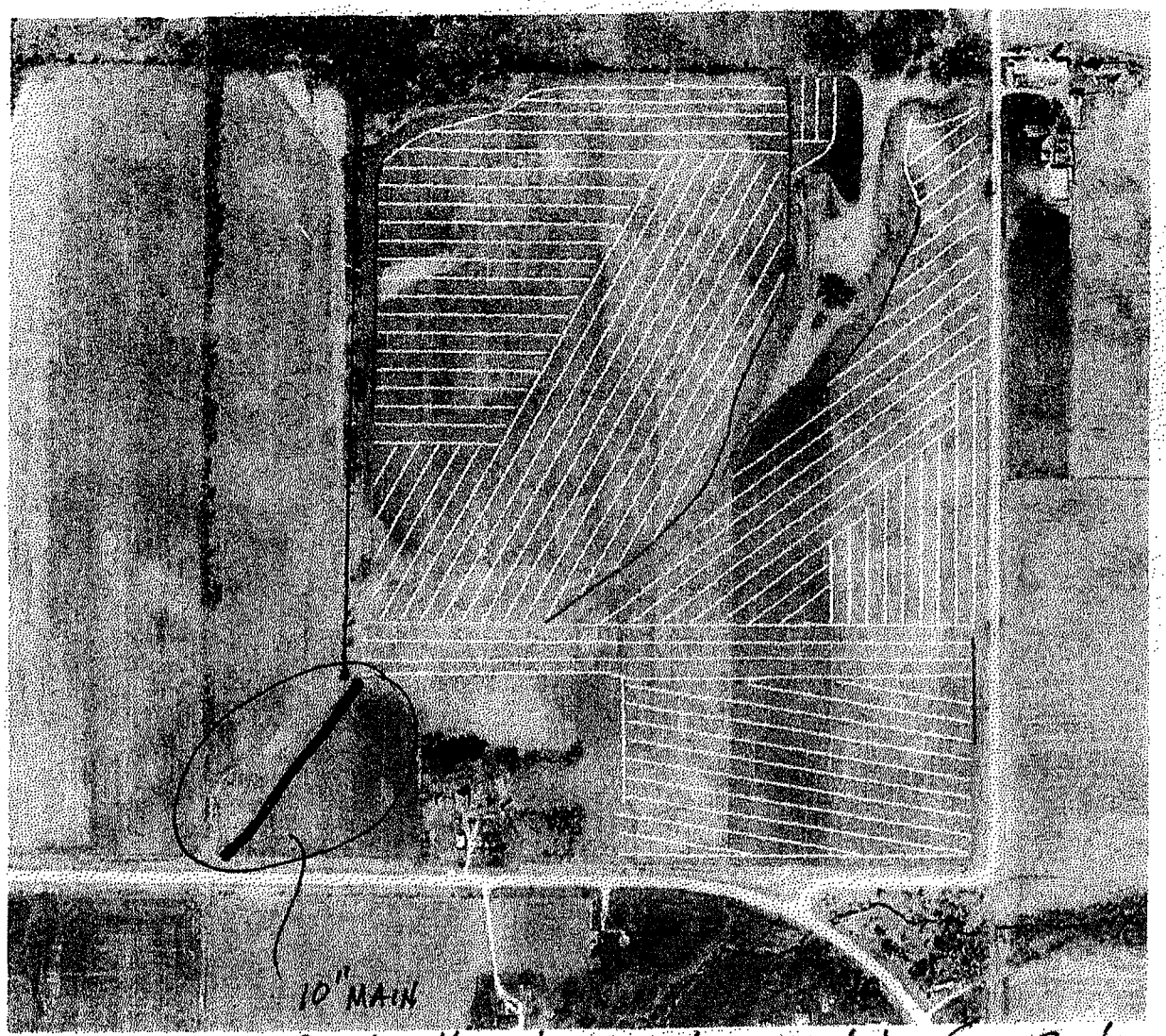
This instrument was acknowledged before me this 31st day of July, 2009 by George Wall as Member and Manager of G. Wall Farms, LLC.

JAMES G WILSON
Commission Number 756211
My Commission Expires
December 12, 2011

James G. Wilson

Notary Public

Fleming Farm Drainage



Running through property owned by Gary Sands

Wall Farms
Spring 2009
Sands Farm

71,938 ft . 4"
200 ft. 4" non-perf
4,344 ft. 5"
1,856 ft. 6"
722 ft. 8'
1,046 ft. 10"

EXHIBIT A

FARM WORKS

EXHIBIT B

The Southeast Quarter (SE¼) of Section Eleven (11), Township Eighty Eight (88) North, Range Five (5), West of the Fifth P.M., except cemetery lot as described in Warranty Deed recorded in Book 51, L.D., Page 343 and also except Parcel E part of the SE¼, Sec. 11, T88N, R5W of the Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2007, Page 2327.