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Carla Becker Auditor
Verified By: PHargrafen
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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Return Document to: Timothy T Schloss, 118 W Mission St, St Pt, IA 52076 (563) 933-2029
Prepared by: Timothy T. Schloss, 118 W. Mission St., Strawberry Pt, IA 52076 (563) 933-2029
Address Tax Statement: Alan Kuhse 1096 210th Ave, Edgewood, IA 52042

EASEMENT

This agreement, made and entered into this 30th day of October, 2008, by and between James C. Funke and Kathleen, husband and wife, (GRANTORS) and Allen E. Kuhse and Joanne Kuhse, husband and wife, (GRANTEES), as follows:

WHEREAS GRANTORS are the record title holders of real estate described as:

The Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section One (1), in Township Ninety (90) North, Range Five (5) West of the 5th P.M., except the West 209' of the South 209' of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section One (1), in Township Ninety (90) North, Range Five (5) West of the 5th P.M. in Delaware County, Iowa.

WHEREAS the GRANTEES are owners of real estate described as:

The West 209' of the South 209' of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of Section One (1), in Township Ninety (90) North, Range Five (5) West of the 5th P.M. in Delaware County, Iowa; and

WHEREAS GRANTEES desire to install a geothermal heating and cooling system for their home, now

THEREFORE, in consideration of the mutual benefits received by the parties hereto and in further consideration of the sum of One Dollar ($1.00) and other valuable consideration, GRANTORS hereby grant to the GRANTEES, a non-specific easement to allow the placement of horizontal loops for a geothermal heating and cooling system for the Grantee's home under their above described real estate, and for ingress and egress over and across the above described real estate for installation of and access to the said horizontal loops for inspection, replacement or repair. This easement is hereby granted and conveyed as a perpetual easement for the use, maintenance and repair of the said horizontal loop, and in exercising said right of ingress and egress they shall repair or pay for any damage caused by the use thereof.

This agreement shall run with the land and shall be binding on the parties hereto, their heirs, successors, administrators, executors, personal representatives and assigns.

James C. Funke
James C. Funke, GRANTOR

Kathleen Funke
Kathleen Funke, GRANTOR

Allen E. Kuhse
Allen E. Kuhse, GRANTEE

Joanne Kuhse
Joanne Kuhse, GRANTEE

STATE OF IOWA)
) ss.
COUNTY OF DELAWARE)

On this 30th day of October, 2008, before me the undersigned, a Notary Public in and for the State of Iowa, personally appeared James C. Funke and Kathleen Funke, husband and wife, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged to me that they executed the same as their voluntary act and deed.

NOTARIAL SEAL IOWA
MARY FISHER
COMMISSION NUMBER 728485
MY COMMISSION EXPIRES
5-17-2010

Mary Fisher
Notary Public in and for the State of Iowa.

STATE OF IOWA)
) ss.
COUNTY OF DELAWARE)

On this 30th day of October, 2008, before me the undersigned, a Notary Public in and for the State of Iowa, personally appeared Allen E. Kuhse and Joanne Kuhse, husband and wife, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged to me that they executed the same as their voluntary act and deed.

NOTARIAL SEAL IOWA
MARY FISHER
COMMISSION NUMBER 728485
MY COMMISSION EXPIRES
5-17-2010

Mary Fisher
Notary Public in and for the State of Iowa.