Book 2010 Page 1631
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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY: Michael A. Bowman, 114 S. Cedar St., Monticello, Iowa 52310, PH: 319-465-5448
RETURN TO: Michael A. Bowman, 114 S. Cedar St., Monticello, Iowa 52310, PH: 319-465-5448

TILE EASEMENT AGREEMENT

This document sets out the following agreement:

1. Kenneth T. Reuter and Lois G. Reuter, husband and wife (hereafter "Reuter") own the following described property, located in Delaware County, Iowa, to-wit:

   Parcel C in the SW 1/4 – SW 1/4 of Section 16 - T87N – R4W Delaware County, Iowa, according to plat recorded in Book 2010, Page 1185; also Parcel B in the W 1/2 - NW 1/4 of Section 21 – T87N – R4W, Delaware County, Iowa, according to plat recorded in Book 2010, Page 1184.

2. Leon Beitz and Sharon Beitz, husband and wife (hereafter "Beitz") own the property described as Drainage Tile Easement #1, as recited in the plat of survey to Parcel B, and as Drainage Tile Easement #1 and Drainage Tile Easement #2, as recited in the plat of survey to Parcel C, located in Delaware County, Iowa. Copies of said surveys are attached to this document for reference, and are one and the same property parcels owned by Reuter.

3. For One Dollar and other consideration, Beitz hereby grants Reuter, their heirs and assignees, the unrestricted right to enter upon the Drainage Tile Easement areas for the purpose of inspection of the tile drainage system and to conduct any and all maintenance and repairs of conditions that might adversely affect the proper operations of this tile system.

4. The costs of inspection and repairs required on said tile easement areas shall be the sole responsibility of Reuter.

   Except for: Whereas the drainage Tile Easement #1, as recited in plat of survey to Parcel B, benefits both Beitz and Reuter. Any costs of inspections, repairs or installation of tile on this easement would be split 25% Beitz and 75% Reuter.

5. In the event the tile repairs on tile located on Beitz land are necessitated by damage caused by Beitz or their assigns, the repairs shall be the responsibility of and at the sole expense of Beitz or their heirs, successors and assigns.

6. The Beitzs, their heirs or assigns, may cultivate, use and enjoy the land provided such use shall not interfere with or endanger the construction, operation or maintenance of said tile line/outlet.

7. The Reuters, their successors or assigns, agree to pay for any and all permanent damage caused to land, growing crops, fences, livestock or other personal property of Beitz from the construction, operation or maintenance of said tile line/outlet.

8. This agreement shall run with the land and the real estate described herein, and shall be binding on the heirs, assignees and successors-in-interest of the parties hereto.

Dated this 27 day of May, 2010.

Kenneth T. Reuter
Kenneth T. Reuter

Leon Beitz
Leon Beitz

Lois G. Reuter
Lois G. Reuter

Sharon Beitz
Sharon Beitz

STATE OF IOWA)
)
DELAWARE COUNTY)

On this 27 day of May, 2010, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Leon Beitz and Sharon Beitz, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

NOTARIAL SEAL IOWA
TROY R. LOUWAGIE
Commission Number 701554
My Commission Expires
2-9-12

Notary Public in and for said State

STATE OF IOWA)
)
DUBUQUE COUNTY)

On this 27 day of May, 2010, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Kenneth T. Reuter and Lois G. Reuter, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

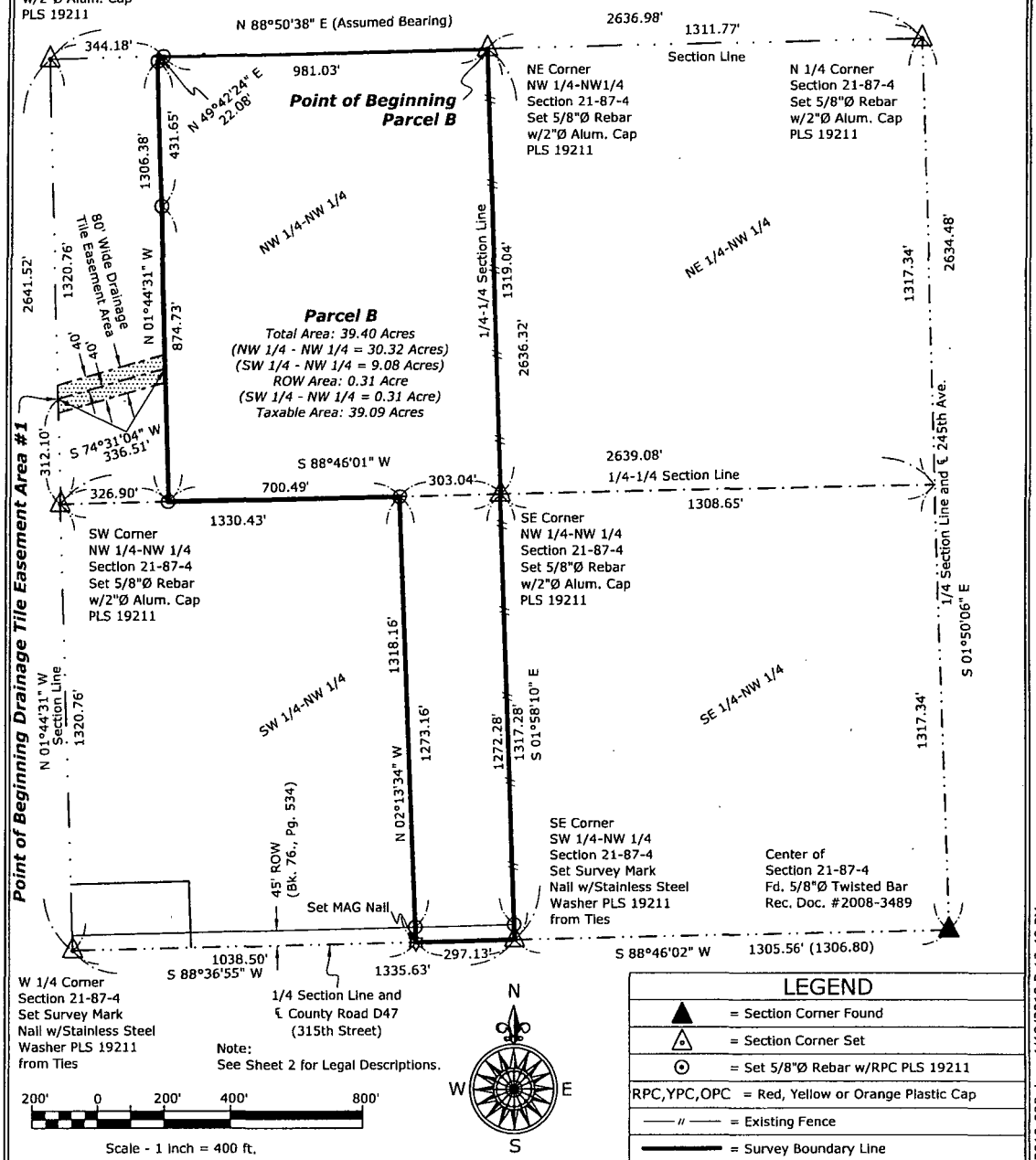
Notary Public in and for said State

NOTARIAL SEAL IOWA
THOMAS A. BITTER
Commission Number 701250
My Commission Expires 1-21-12

Prepared by: Herold - Reicks Surveying, 10 East Main Street, New Hampton, IA 50659, Ph. 641-394-2725, Fax. 641-394-2178

Plat of Survey

Parcel B in the W 1/2 - NW 1/4 of Section 21 - T87N - R4W, Delaware County, Iowa.



LEGEND	
▲	= Section Corner Found
△	= Section Corner Set
⊙	= Set 5/8"Ø Rebar w/RPC PLS 19211
RPC,YPC,OPC	= Red, Yellow or Orange Plastic Cap
—//—	= Existing Fence
———	= Survey Boundary Line

Proprietor: Leon Beltz & Sharon Beltz	FB: Misc. 1, Pgs. 24-26	KDR	Project Number: 2010-028
Requested By: Hertz Real Estate Services	Survey was completed on April 9, 2010.		Sheet: 1

HRS
Herold-Reicks Surveying
10 East Main Street
New Hampton, IA 50659
Ph. 641-394-2725 hrs@iowatelecom.net

PROFESSIONAL LAND SURVEYOR
KIRK D. REICKS
19211
IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Kirk D. Reicks Date:

License number 19211

My license renewal date is December 31, 2010.

Sheets covered by this seal: 1-2

File: S:_Projects\2010\2010-028\dwg\2010-028.dwg, 4/19/2010 5:13:49 PM

Plat of Survey

Parcel B in the W 1/2 - NW 1/4 of Section 21 - T87N - R4W, Delaware County, Iowa.

LEGAL DESCRIPTION:

Parcel B in the West Half of the Northwest Quarter of Section 16, Township 87 North, Range 4 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:

Beginning at the Northeast Corner of said West Half;

Thence **South 01°58'10" East, 2636.32 feet** along the East Line of said West Half to the Southeast Corner thereof and the Centerline of County Road D47 (315th Street);

Thence **South 88°36'55" West, 297.13 feet** along the South Line of said West Half and said Centerline;

Thence **North 02°13'34" West, 1318.16 feet** to the South Line of the Northwest Quarter of the Northwest Quarter of said Section;

Thence **South 88°46'01" West, 700.49 feet** along said South Line;

Thence **North 01°44'31" West, 1306.38 feet**;

Thence **North 49°42'24" East, 22.08 feet** to the North Line of West Half;

Thence **North 88°50'38" East (Assumed Bearing), 981.03 feet** along said North Line to the Point of Beginning.

Containing **39.40 Acres**, including 0.31 Acre of 315th Street Right-of-Way, subject to any easements recorded or unrecorded.

DRAINAGE TILE EASEMENT #1

An strip of land for **Drainage Tile Easement Purposes** 80 feet in Width lying 40 feet on both sides of the following Centerline in the Northwest Quarter of the Northwest Quarter of Section 21, Township 87 North, Range 4 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:

Commencing at the Southwest Corner of said Quarter-Quarter Section;

Thence **North 01°44'31" West, 312.10 feet** along the West Line of said Quarter-Quarter Section to the Point of Beginning with the West Line of said Drainage Easement being coincident with the West line of said Quaretr-Quarter Section;

Thence **North 74°31'04" East, 336.51 feet** to a West Line of Parcel B (as shown on this Plat of Survey) and the terminus of this Easement with the East Line of said Drainage Easement being coincident with the West Line of said Parcel B;

Containing **0.62 Acre**, subject to any other easements recorded or unrecorded.

Note: For purposes of this Easement, the North Line of the Northwest Quarter of said Section 21 is assumed to bear **North 88°50'38" East.**

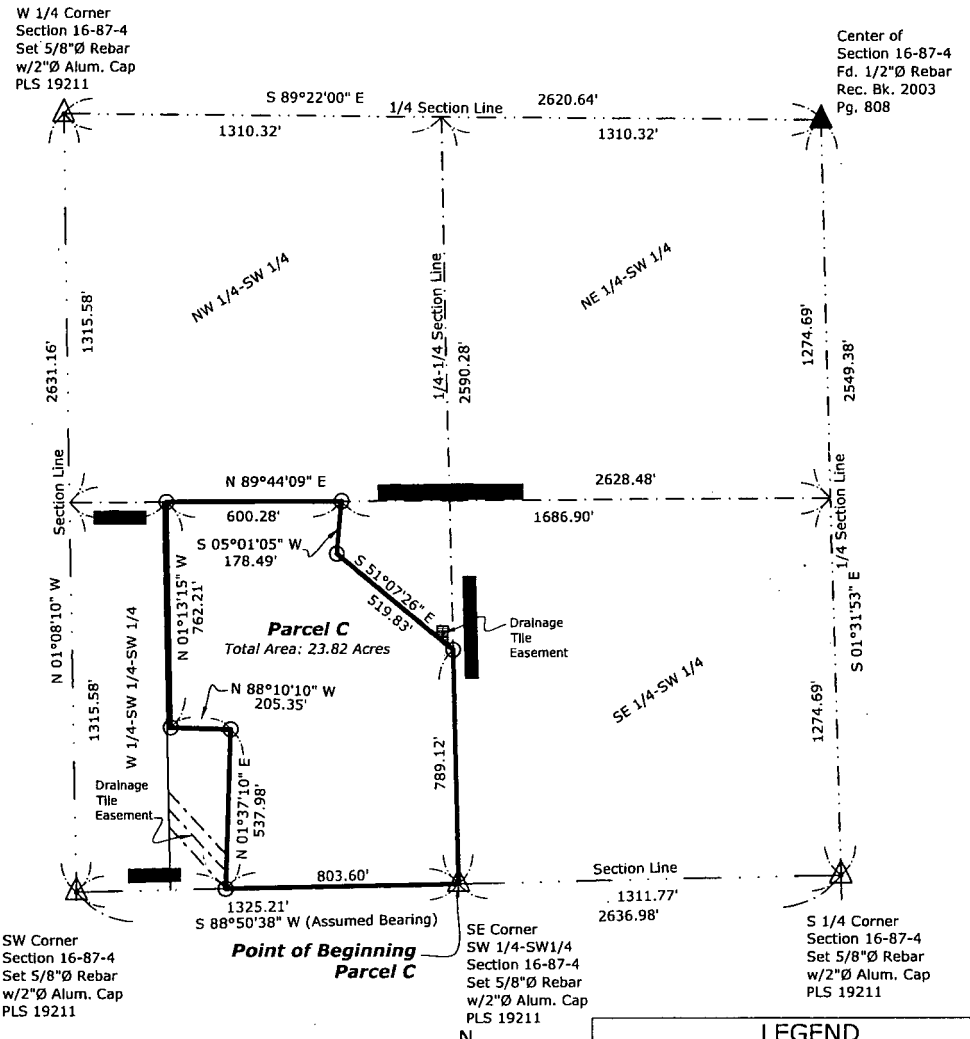
See the plat(s) attached to this original survey description.

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Prepared by: Herold - Reicks Surveying, 10 East Main Street, New Hampton, IA 50659, Ph. 641-394-2725, Fax. 641-394-2178

Plat of Survey

Parcel C in the SW 1/4 - SW 1/4 of Section 16 - T87N - R4W Delaware County, Iowa.



Notes:
See Sheet 2 for Parcel/Drainage Tile Easement Details.
See Sheet 3 for Legal Descriptions.

250' 0 250' 500' 1000'

Scale - 1 Inch = 500 ft.

N
W E
S

LEGEND	
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△	= Section Corner Set
⊙	= Set 5/8"Ø Rebar w/RPC PLS 19211
RPC,YPC,OPC	= Red, Yellow or Orange Plastic Cap
—//—	= Existing Fence
———	= Survey Boundary Line

Proprietor: Leon Beltz & Sharon Beltz	FB: Misc. 1, Pgs. 24-26	KDR	Project Number: 2010-028
Requested By: Hertz Real Estate Services	Survey was completed on April 9, 2010.		Sheet: 1

HRS
Herold-Reicks Surveying
10 East Main Street
New Hampton, IA 50659
Ph. 641-394-2725 hrs@iowatelecom.net

PROFESSIONAL LAND SURVEYOR
KIRK D. REICKS
19211
IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

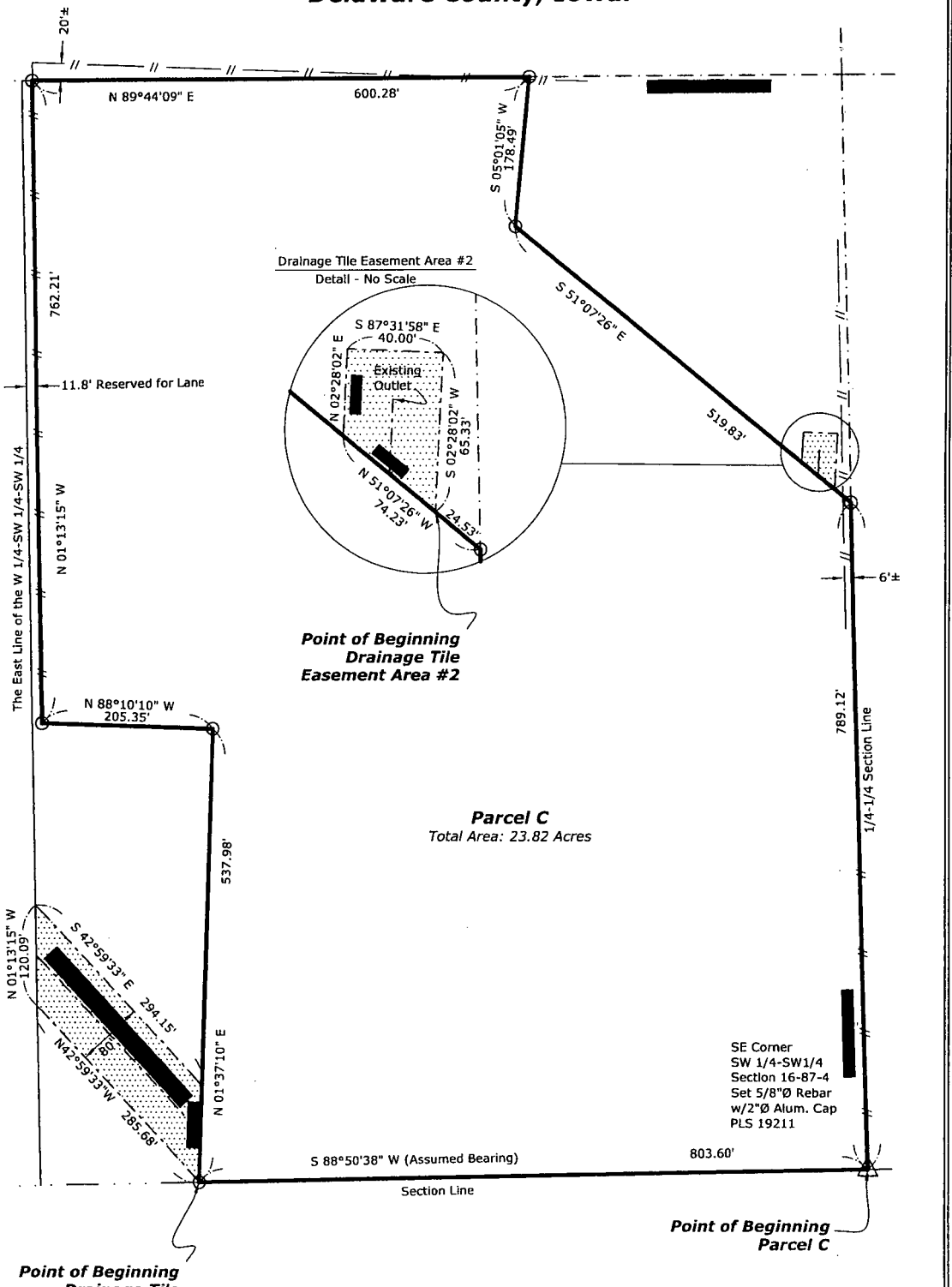
Kirk D. Reicks Date:

License number 19211
My license renewal date is December 31, 2010.
Sheets covered by this seal: 1-3

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Plat of Survey

Parcel C in the SW 1/4 - SW 1/4 of Section 16 - T87N - R4W Delaware County, Iowa.



LEGEND	
▲	= Section Corner Found
△	= Section Corner Set
⊙	= Set 5/8"Ø Rebar w/RPC PLS 19211
RPC,YPC,OPC	= Red, Yellow or Orange Plastic Cap
—//—	= Existing Fence
———	= Survey Boundary Line

Herold - Reicks Surveying, 10 East Main Street, New Hampton, IA 50659, Ph. 641-394-2725

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Plat of Survey

Parcel C in the SW 1/4 - SW 1/4 of Section 16 - T87N - R4W Delaware County, Iowa.

LEGAL DESCRIPTION:

Parcel C in the Southwest Quarter of the Southwest Quarter of Section 16, Township 87 North, Range 4 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:

Beginning at the Southeast Corner of said Quarter-Quarter Section;

Thence **South 88°50'38" West (Assumed Bearing), 803.60 feet** along the South Line of said Quarter-Quarter Section;

Thence **North 01°37'10" East, 537.98 feet**; Thence **North 88°10'10" West, 205.35 feet**;

Thence **North 01°13'15" West, 762.21 feet** to the North Line of said Quarter-Quarter Section;

Thence **North 89°44'09" East, 600.28 feet** along said North Line;

Thence **South 05°01'05" West, 178.49 feet**;

Thence **South 51°07'26" East, 519.83 feet** to the East Line of said Quarter-Quarter Section;

Thence **South 01°28'45" East, 789.12 feet** along said East Line to the Point of Beginning.

Containing **23.82 Acres**, subject to any easements recorded or unrecorded.

DRAINAGE TILE EASEMENT #1

An strip of land for **Drainage Tile Easement Purposes** in the Southwest Quarter of the Southwest Quarter of Section 16, Township 87 North, Range 4 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:

Commencing at the Southeast Corner of said Quarter-Quarter Section;

Thence **South 88°50'38" West (Assumed Bearing), 803.60 feet** along the South Line of said Quarter-Quarter Section to the Point of Beginning;

Thence **North 42°59'33" West, 285.68 feet** to the East Line of the West 1/4 of said Quarter-Quarter Section;

Thence **North 01°13'15" West, 120.09 feet** along said East Line;

Thence **South 42°59'33" East, 294.15 feet** to a West Line of Parcel C (as shown on this Plat of Survey);

Thence **South 01°37'10" West, 113.91 feet** along said West Line to the Point of Beginning.

Containing **0.53 Acre**, subject to any other easements recorded or unrecorded.

DRAINAGE TILE EASEMENT #2

An strip of land for **Drainage Tile Easement Purposes** in the Southwest Quarter of the Southwest Quarter of Section 16, Township 87 North, Range 4 West of the 5th P.M., Delaware County, Iowa, and more particularly described as follows:

Commencing at the Southeast Corner of said Quarter-Quarter Section;

Thence **North 01°28'45" West, 789.12 feet** along the East Line of said Quarter-Quarter Section;

Thence **North 51°07'26" West, 24.53 feet** along a Northeasterly Line of Parcel C (as shown on this Plat of Survey) to the Point of Beginning;

Thence continuing **North 51°07'26" West, 49.70 feet** along said Northeasterly Line;

Thence **North 02°28'02" East, 35.83 feet**;

Thence **South 87°31'58" East, 40.00 feet**;

Thence **South 02°28'02" West, 65.33 feet** to the Point of Beginning.

Containing **0.05 Acre**, subject to any other easements recorded or unrecorded.

Note: For purposes of this Easement, the South Line of the Southwest Quarter of said Section 16 is assumed to bear **South 88°50'38" West.**

See the plat(s) attached to this original survey description.

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