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Book 2012 Page 1810

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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Preparer Information Thomas J. Hanson, 401 East Main Street, Manchester, (563) 927-5920
Individual's Name Street Address City Phone

Thomas J. Hanson, ISBA # 02110

SPACE ABOVE THIS LINE FOR RECORDER

RETURN TO: BANK IOWA
P.O. BOX 229
INDEPENDENCE, IA 50644

EASEMENT AGREEMENT

This Agreement made and entered into this 24th day of May, 2012 by and between the following James B. Carney and Rita M. Carney, husband and wife (First Parties) and Sean R. Anderson and Jessica A. Anderson, husband and wife (Second Parties):

WITNESSTH:

WHEREAS, the above named First Parties are the owners of the following described real estate located in Manchester, Iowa:

> Lot 635 except the east nine (9) feet thereof, Manchester, Iowa, according to plat recorded in Book I, L.D., Page 284.

AND WHEREAS, the above named Second Parties are the owners of the following described real estate located in Manchester, Iowa:

> The West fifty one (51.0) feet of Lot Six Hundred Thirty Six (636), and the East nine (9.0) feet of Lot Six Hundred Thirty Five (635), Manchester, Iowa, according to plat recorded in Book I, L.D., Page 284, excepting, however, the easement for right of way as now located across the North part of said lots.

AND WHEREAS, the Parties desire to enter into an Agreement whereby First Parties will grant onto Second Parties, their heirs, successors and assigns an easement over and across real estate owned by First Parties so as to serve the real estate owned by Second Parties.

NOW THEREFORE, inconsideration of the mutual promises, obligations and rights herein created, said First Parties do hereby grant and convey onto Second Parties and onto their heirs, successors and assigns a right-of-way and easement over along and across that portion of

Lot 635 of Manchester, Iowa described as Easement A in the Easement Plat of Easements A and B filed June 15, 2011 in Book 2011, Page 1946 of the records of the Delaware County Recorder.

The parties agree that any expense for maintaining or repairing the easement area or for snow removal for the easement area shall be paid proportionally by the parties using said easement. Second Parties, their heirs, successors and assigns shall have the right to enter onto the easement area to repair and maintain said driveway area and to remove snow as necessary to properly use said easement.

The parties agree that neither party hereto, their heirs, successors and assigns shall use or leave any vehicle or anything else on said driveway so as to prevent the free and uninterrupted use of said driveway by Second Parties, their heirs, successors and assigns.

This Agreement shall be deemed to be a covenant running with title to the land and shall be binding upon the parties hereto, and upon their heirs, successors and assigns.

First Parties

James B. Carney

Rita M. Carney

Second Parties

Sean R. Anderson

Jessica A. Anderson

STATE OF IOWA, COUNTY OF Delaware **, ss:**

On this 24th day of May, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared, James B. Carney and Rita M. Carney, 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.

NOTARIAL SEAL IOWA
TERESA TURNIS
Commission Number 723636
My Comm. Exp. 7-25-2012

Notary Public in and for the State of Iowa
Teresa Turnis

STATE OF IOWA, COUNTY OF Delaware **, ss:**

On this 24th day of May, 2012, before me, the undersigned, a Notary Public in and for said State, personally appeared, Sean R. Anderson and Jessica A. Anderson, 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.

Teresa Turnis

Notary Public in and for the State of Iowa

Teresa Turnis

