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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Return Document To: Thomas J. Hanson, 401 East Main Street, Manchester, Iowa 52057
Prepared By: Thomas J. Hanson, 401 East Main Street, Manchester, Iowa 52057
Address Tax Statement: James V. Graybill, 122 Nelson Circle, Manchester, Iowa 52057

EASEMENT AGREEMENT

This Agreement entered into this 16th day of May, 2013 by and between Dan Recker and Cindi Kramer (hereinafter Recker and Kramer) and James V. Graybill and Patricia A. Graybill, husband and wife (hereinafter Graybill).

WHEREAS, Recker and Kramer have purchased from Graybill the following described real estate located in Delaware County, Iowa:

> Lot Two (2) of Bahndorf's Addition to Delaware County, Iowa, according to plat recorded in Book 5 Plats, Page 1; same being a part of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) of Section Fourteen (14), Township Eighty Eight (88) North, Range Five (5), West of the Fifth Principal Meridian; also Parcel H Part Of Lot 3 of Bahndorf's First Addition, Part of the N ½ of the SW ¼, Section Fourteen (14), Township Eighty-Eight (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 8 Plats, Page 160, and also Parcel J part of Lot 6 of Bahndorf's First Addition part of the N ½ of the SW ¼, Section 14, T88N, R5W of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 8 Plats, Page 160.

AND WHEREAS, as part of the consideration for the purchase of said real estate Recker and Kramer have agreed to grant on easement for the use of the boat ramp, a walking path to the river and construction of a boat dock for the benefit of James V. Graybill and Patricia A. Graybill, husband and wife, their children and grandchildren.

NOW THEREFORE, in consideration of the mutual covenants made herein and the mutual benefits to be gained by the parties, they agree as follows:

1. Recker and Kramer hereby grant onto James V. Graybill and Patricia A. Graybill, husband and wife, and their children and grandchildren, an easement over and across the West four feet of the above described real estate from the roadway to the Maquoketa River and/or Lake Delhi, as a walking path to provide access from the local roadways to the Maquoketa River, and/or Lake Delhi.

2. Recker and Kramer further grant onto James V. Graybill and Patricia A. Graybill, husband and wife, and their children and grandchildren, the right to use the existing boat ramp located on the premises including the right to drive vehicles on the premises, towing a boat and boat trailer so as to launch boats from the boat ramp into the Maquoketa River, and/or Lake Delhi.

3. Recker and Kramer further grant onto James V. Graybill and Patricia A. Graybill, husband and wife, and their children and grandchildren the right to construct and maintain a boat dock located on the above described premises or the lake frontage owned by Recker and Kramer with regard to the above described premises, so that persons using the four foot easement for access to the river will have access to a boat dock so as to enter and exit boats on the Maquoketa River, and/or Lake Delhi. Provided however, that this grant of easement regarding the boat dock is subject to grantees, their children and grandchildren holding the grantors, their heirs, successors and assigns harmless from any and all claims, damages or cause of action with regard to the construction, maintenance and/or use of said boat dock. In addition, any fees for maintaining said boat dock levied by the Lake Delhi Recreation Association or any other similar agency shall be paid by the grantees, their children or grandchildren.

4. The easements granted herein shall run with the land and are binding upon the titleholders, their heirs, successors and assigns, except as limited by the specific language of this Agreement.

Dated this 11th day of June, 2013.

Dan Recker

Cindi Kramer

James V. Graybill

Patricia A. Graybill

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

On this 11th day of May/June, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared Dan Recker and Cindi Kramer, known to me be the identical persons named herein and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

NOTARIAL SEAL IOWA
NELS PETERSEN
Commission Number 194944
My Commission Expires
2/19/16

Notary Public in and for the State of Iowa

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

On this 16th day of May, 2013, before me, the undersigned, a Notary Public in and for said State, personally appeared James V. Graybill and Patricia A. Graybill, husband and wife, known to me be the identical persons named herein and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

NOTARIAL SEAL IOWA
NELS PETERSEN
Commission Number 194944
My Commission Expires
2/19/16

Notary Public in and for the State of Iowa