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Document 2014 2238 Type 03 006 Pages 3
Date 9/10/2014 Time 9:23:27AM
Rec Amt $17.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Fully Realty
208 N. Franklin
Manchester IA 52057

2003-2628 2003-2617

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: Michael A. Keoppel, 1172 Candle Road, Masonville, Iowa 50654

## EASEMENT AGREEMENT

This Agreement entered into this 9 day of SEPTEMBER 2014 by and between John Dawayne Onken, a single person and Deborah Kay Onken, a single person (hereinafter First Parties), and Michael Andrew Keoppel and Shirley Ann Keoppel, husband and wife, (hereinafter Second Parties).

**WHEREAS**, the parties own the following described real estate located in Delaware County, Iowa:

A. Real Estate owned by First Parties:

Lot Three (3) of Munis Estates, a Subdivision of Parcel A, in the NW ¼ - NE ¼ Sec. 32, T89N, R6W of the Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2003, Page 2538.

B. Real Estate owned by Second Parties:

Lot Four (4) of Munis Estates, a Subdivision of Parcel A, in the NW ¼ - NE ¼ Sec. 32, T89N, R6W of the Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2003, Page 2538.

**AND WHEREAS**, the parties wish to enter into an Easement Agreement regarding the septic tank and septic system owned by Second Parties which is partially located on real estate owned by First Parties.

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

IN THE EVENT OF A SEPTIC TANK BEING REPLACED, THE NEW TANK WILL BE INSTALLED COMPLETELY ON SECOND PARTIES PROPERTY.
MAK-SHK - DWO-DKO

1. First Parties hereby grant onto Second Parties, their heirs, successors and assigns, an easement for a septic tank and septic system located partially on real estate owned by First Parties.

2. First Parties further grant to Second Parties, their heirs, successors and assigns the right to enter onto First Parties' real estate from time to time in order to inspect the septic system and to make any necessary repairs and/or maintenance of the septic system. Provided however, that any disturbance of the soil or vegetation caused by Second Parties, or their agents, heirs, successors and assigns shall be remedied at the cost of Second Parties.

3. First Parties agree that no buildings or other permanent structures shall be placed over the area in which the septic system is located. The easement grant herein shall run with the land and be binding upon the parties hereto, their heirs, successors and assigns.

Dated this 9 day of SEPTEMBER, 2014.

**First Parties**

**John Dawayne Onken**

**Deborah Kay Onken**

Dated this 9 day of September, 2014.

**Second Parties**

**Michael Andrew Keoppel**

**Shirley Ann Keoppel**

**STATE OF IOWA, COUNTY OF** Black Hawk **: ss:**

On this 9 day of September, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared **John Dawayne Onken**, a single person, known to me be the identical person named herein and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

NOTARIAL SEAL IOWA
ALAN STAINAKER
Commission No 745566
My Commission Expires
01/23/2016

Notary Public in and for the State of Iowa

**STATE OF IOWA, COUNTY OF** Black Hawk **: ss:**

On this 9 day of September, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared **Deborah Kay Onken**, a single person, known to me be the identical person named herein and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

NOTARIAL SEAL IOWA
ALAN STAINAKER
Commission No 745566
My Commission Expires
02/23/2016

Notary Public in and for the State of Iowa

**STATE OF IOWA, COUNTY OF** Black Hawk **: ss:**

On this 9 day of September, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared **Michael Andrew Keoppel and Shirley Ann Keoppel**, 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
ALAN STAINAKER
Commission No 745566
My Commission Expires
02/23/2016

Notary Public in and for the State of Iowa