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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

EW
Prepared by & Return to: George Davis, P.O. Box 304, Dyersville, Iowa 52040-0304

ACCESS EASEMENT

2004 - 1999

Come now JOHN CANNON AND ANN M. CANNON, husband and wife, hereinafter referred to as Grantors; and RICHARD J. RECKER AND MARY ANN RECKER, husband and wife, and NICHOLAS KNEPPER AND EMILY KNEPPER, husband and wife, hereinafter referred to as Grantees; all of Delaware County, Iowa, for good and valuable consideration sufficiently acknowledged, hereby agree as follows:

2011 - 796
2004 - 1998
2011 - 795

1. That the Grantors, John Cannon and Ann M. Cannon, are the owners of real estate described as:

> Parcel C, part of the NE ¼ - NE ¼, Section 33, T89N, R3W of the Fifth P.M., Delaware County, Iowa, per Plat filed for record on March 24, 2005, in Book 2005, Page 1007

2. That the Grantees, Richard J. Recker and Mary Ann Recker, are the owners of real estate described as:

> The NE ¼ of the NE ¼ of Section 33, Township 89 North, Range 3 West of the 5th P.M., Delaware County, Iowa, less Parcel C, part of the NE ¼ - NE ¼ Section 33, T89N, R3W of the Fifth P.M., Delaware County, Iowa, and less Parcel D, part of the SE ¼ of the NE ¼ and part of the NE1/4 of the NE1/4, Section 33, T89N, R3W of the Fifth P.M., Delaware County, Iowa, and
>
> The NW1/4 of the NW1/4 of Section 34, Township 89 North, Range 3 West of the 5th P.M., Delaware County, Iowa, less Parcel B, part of the SW1/4-NW1/4, and part of the NW1/4 of the NW1/4, Section 34, T89N, R3W of the Fifth P.M., Delaware County, Iowa

3. That the Grantees, Nicholas Knepper and Emily Knepper, are the owners of real estate described as:

Parcel B, part of the SW ¼ - NW ¼, and part of the NW1/4 of the NW1/4 Section 34, T89N, R3W of the Fifth P.M., Delaware County, Iowa, per Plat filed for record on March 23, 2006, in Book 2006, Page 1869, and

Parcel D, part of the SE1/4-NE1/4 and part of the NE1/4 of the NE1/4, all In Section 33, T89N, R3W of the Fifth P.M., Delaware County, Iowa, per Plat filed for record on March 23, 2006, in Book 2006, Page 1869

4. Grantors hereby grant, assign and set over unto Grantees, a roadway access easement for ingress and egress thirty six (36) feet wide running 125 feet along the existing driveway to the Grantors' property starting at the Grantors' boundary with the railroad in the northeast corner of their property and running south and west 125 feet along the existing driveway of the Grantors' property.

5. That this roadway easement will be used by both Grantors and Grantees and their Successors, heirs, agents and assigns.

6. It is further agreed that the Grantors and Grantees, their heirs, assigns, executors or administrators, shall not have an exclusive easement, but is subject to the equal rights and use of the road by both Grantors and Grantees and their successors, heirs, agents and assigns.

7. All parties to this agreement, their successors, heirs, agents, assigns, executors and administrators, shall have equal rights of ingress and egress over and upon all that portion of said common roadway.

8. That this access easement is the access easement referred to in the Real Estate Contract Installments between the parties filed as Instrument #2005-1746 on May 19, 2005, in the Delaware County Recorder's Office.

9. That this easement is binding on all successors, heirs, agents, assigns, executors and administrators of Grantors and Grantees perpetually and shall run with the land.

Signed on this 9th day of ~~January~~ February, 2016

GRANTORS:

John Cannon

Ann M. Cannon

GRANTEES:

Richard J. Recker

Mary Ann Recker

Nicholas Knepper

Emily Knepper

STATE OF IOWA)
) SS:
DUBUQUE COUNTY)

On this 9th day of ~~January~~ February, 2016, before me, the undersigned Notary Public, personally appeared John Cannon and Ann M. Cannon, husband and wife, as Grantors 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.

Notary Public in and for the State of Iowa

GEORGE A. DAVIS
Commission Number 199715
My Commission Expires
December 17, 2016

STATE OF IOWA)
) SS:
DUBUQUE COUNTY)

On this 9th day of ~~January~~ February, 2016, before me, the undersigned Notary Public, personally appeared Richard J. Recker and Ann M. Recker, husband and wife, as Grantees, 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.

Notary Public in and for the State of Iowa

GEORGE A. DAVIS
Commission Number 199715
My Commission Expires
December 17, 2016

STATE OF IOWA)
) SS:
DUBUQUE COUNTY)

On this 9th day of ~~January~~ February, 2016, before me, the undersigned Notary Public, personally appeared Nicholas Knepper and Emily Knepper, husband and wife, as Grantees, 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.

Notary Public in and for the State of Iowa

GEORGE A. DAVIS
Commission Number 199715
My Commission Expires
December 17, 20