Book 2017 Page 2
Document 2017 2 Type 06 006 Pages 2
Date 1/03/2017 Time 9:10:03AM
Rec Amt $12.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Preparer Information & Return To: 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

REAL ESTATE AGREEMENT

This Agreement entered into this 20 day of December, 2016 by and between Bennett Family Farms Limited Partnership (hereinafter "Bennett") and Michael Loecke (hereinafter "Loecke").

WHEREAS, Bennett has sold to Loecke the following described real estate located in Delaware County, Iowa:

> Lot 1 of Bennett Family Subdivision a Subdivision of Part of the E ½ of the SW ¼ of Section 27, T89N, R5W of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 2016, Page 3430.

AND WHEREAS, as part of the real estate contract to purchase said real estate the parties agreed to certain matters which are to be included in an Agreement to be signed at closing regarding the herein described real estate.

NOW, THEREFORE, in consideration of the real estate contract and in consideration of the mutual promises contained herein and the mutual benefits to be gained by the parties they agree as follows:

1. Loecke, for and on behalf of himself, his heirs, successors and assigns agrees to the following matters regarding the herein described real estate:

    a) He will be responsible for building and maintaining all required fences surrounding the herein described premises;
    b) Any construction on the premises will be completed such that water will not run off the herein described premises on to Bennett's adjacent real estate;
    c) He will repair any and all tile lines or leach lines damaged or destroyed during any construction on the premises.

2. The parties agree that Sellers shall retain a permanent easement for ingress and egress over and across the East 66 feet of the herein described Lot 1 to provide permanent access to the real estate retained by the Seller and adjacent to the herein described premises. Loecke, for and on behalf of himself, his heirs, successors and assigns

agrees that they will not in any way block the easement area by the construction of any permanent improvements or by the parking of any vehicles over and across the easement area.

3. As additional consideration for the purchase of Lot 1, Loecke, for and on behalf of himself, his heirs, successors and assigns agrees to the removal of trees over and across the 66 foot right of way to Bennett's premises lying west of the above described premises and also to remove trees on the east and west fence line on real estate owned by H.B. Bennett Family Farms located in the Northwest Quarter of Section 11, Milo Township, Delaware County, Iowa. In the event that such tree removal is not completed on or before December 1, 2017, Loecke agrees to pay Bennett an additional $5,000.00 for the purchase of the herein described Lot 1.

4. All the obligations contained herein regarding Loecke shall run with the land, be binding upon Loecke, his heirs, successors and assigns.

Bennett Family Farms Limited Partnership

Sara W Bennett- Partner
By: Sara W. Bennett – Partner

x Michael Loecke
Michael Loecke

STATE OF ARIZONA, COUNTY OF Maricopa, **ss:**

On this 28th day of December 2016, before me, the undersigned, a Notary Public in and for said State, personally appeared Sara W. Bennett, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

APRIL FRANZ
Notary Public - Arizona
Maricopa County
My Comm. Expires Nov 11, 2020

April Franz
Notary Public in and for the State of ~~Iowa~~ Arizona

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

On this 20 day of December 20016, before me, the undersigned, a Notary Public in and for said State, personally appeared Michael Loecke, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

NOTARIAL SEAL IOWA
THOMAS J HANSON
Commission Number 115040
My Commission Expires
September 22, 2019

Notary Public in and for the State of Iowa