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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Entered for taxation 9th day
of April AD 2018
Carla Backer, Auditor
By [illegible] Deputy

Prepared by and Return to: E. Michael Carr, PO Box 333, Manchester, IA 52057 (563) 927-4164

EASEMENT AGREEMENT

This agreement entered into this 4th day of April, 2018, by and between Deanna Hanson and Jayne Hildebrand as co-executors of the Sharon M. Fischer Estate (hereinafter "First Party") and Antonette H. Otting, a single person and Kathleen J. Otting, a single person (hereinafter "Second Party").

WITNESSTH:

WHEREAS, First Party owns the following described real estate located in Earlville, Delaware County, Iowa:

> Lot 7, Block One, Haskins Addition to Earlville, Iowa, formerly Nottingham, Iowa;

AND WHEREAS, Second Party owns the following described real estate located in Earlville, Delaware County, Iowa:

> Lots five (5) and Six (6) of Block One (1), in Southeast Haskin's Addition to Nottingham, now Earlville, Iowa.

AND WHEREAS, the Parties wish to enter into an Easement Agreement whereby First Party will be granted an easement over and across a portion of the real estate owned by Second Party under the terms and conditions as stated herein.

NOW, THEREFORE, in consideration of the mutual promises, obligations and rights herein created, and in consideration of $1.00 and other valuable consideration paid by the First Party to the Second Party they agree as follows:

1. First Party owns a garage which is located partially on the real estate owned by Second Party and encroaches approximately three feet over the northerly boundary of the real estate owned by the Second Party. The Parties agree that the First Party, their heirs, successors and assigns will continue to be allowed to maintain this encroachment and shall also be allowed an easement over and across an additional five feet adjacent to said

encroaching building so as to allow First Party, their heirs, successors and assigns to mow around said building and maintain said building.

2. First Party, their heirs, successors and assigns agree that at such time said building is removed from the premises that any replacement building shall be placed within the boundaries of the real estate owned by First Party. At such time the easement granted herein shall end and be of no further force and effect.

3. First Party, their heirs, successors and assigns shall take no actions with regard to said building which will in any way increase or expand the currently existing encroachment. This easement agreement shall be binding upon First Party, their heirs, successors and assigns.

First Party

Deanna Hanson

Jayne Hildebrand

Second Party

Antonette H Otting

Kathleen J Otting

STATE OF IOWA, COUNTY OF Delaware ss:

On this 5th day of April, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Deanna Hanson and Jayne Hildebrand as co-executors for the Estate of Sharon M. Fischer, 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.

MARVIN W WATERHOUSE
Notarial Seal - Iowa
Commission # 406854
My Commission Expires 5-12-21

Marvin W. Waterhouse
Notary in and for the State of Iowa

STATE OF IOWA, COUNTY OF Delaware ss:

On this 4th day of April, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Antonette H. Otting, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

MARVIN W WATERHOUSE
Notarial Seal - Iowa
Commission # 406854
My Commission Expires 5-12-21

Marvin W. Waterhouse
Notary in and for the State of Iowa

STATE OF IOWA, COUNTY OF Delaware ss:

On this 4th day of April, 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared Kathleen J. Otting, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

Marvin W. Waterhouse
Notary in and for the State of Iowa

MARVIN W WATERHOUSE
Notarial Seal - Iowa
Commission # 406854
My Commission Expires 5-17-21