Env. Doralee Huinker

Book 2019 Page 2759
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Date 10/04/2019 Time 11:02:01AM
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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by & Return to: George Davis, P.O. Box 304, Dyersville, Iowa 52040-0304 Phone: 563-875-9112

EASEMENT

WHEREAS, Randy and Lynn Recker own the following legally described property in the Lake Delhi area:

> Lot Thirty Five (35) of Turtle Creek Camp Replat being part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4), part of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4), and part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) all in Section Twenty-six (26), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa; also being part of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4), and part of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4), Section Twenty-five (25), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 1999, Page 4340; also all lake frontage running to the middle of the Maquoketa River Bed with regard to said Lot Thirty Five (35)

WHEREAS, Terrance A. Walen and Kristin K. Meany-Walen own property adjacent to the Recker property legally described as follows:

> Lot Thirty Four (34) of Turtle Creek Camp Replat being part of the Southwest Quarter (SW 1/4) of the Northeast Quarter (NE 1/4), part of the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4), and part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) all in Section Twenty-six (26), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa; also being part of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4), and part of the Southwest Quarter (SW 1/4) of the Northwest Quarter (NW 1/4), Section Twenty-five (25), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat

recorded in Book 1999, Page 4340; also all lake frontage running to the middle of the Maquoketa River Bed with regard to said Lot Thirty Four (34)

WHEREAS, there is a driveway encroachment and LP tank encroachment from the Recker property (Lot 35) on to the Walen property (Lot 34);

WHEREAS, the parties are desirous of executing an easement to address the encroachment issues.

WHEREAS, the Burrington Group, Inc. of Manchester, Iowa, has drawn a map of these encroachments shown on the attached Exhibit A.

NOW AND THEREFORE, the Reckers and the Walens agree as follows:

1. The Walens agree to grant the Reckers an access easement over the 16.3 feet x 10.8 feet x 26.7 feet Recker encroachment area on to the Walen property shown on Exhibit A in Lot 34, such area being a paved driveway surface. The Walens agree not to interfere with the Recker's use of this driveway access area;

2. The parties agree that if the Recker's driveway is ever removed and replaced that this driveway access easement shall terminate;

3. The Walens also grant the Reckers an access and easement over Lot 34 to place their LP tank as it currently sits on the Walen's property as shown on Exhibit A and allow the Reckers to access the tank for purposes of refueling the tank and performing maintenance and repairs on the tank. In the event that the LP tank is ever relocated, this easement shall cease.

4. The Recker and Walens agree that these easements shall run with the land for the benefit of future owners and assigns of the owners of Lot 34 and Lot 35 of Turtle Creek Camp legally described above..

Agreed to this 30 day of September, 2019

Randy Recker

Lynn Recker

Terrance A. Walen

Kristin K. Meany-Walen

STATE OF IOWA, COUNTY OF DUBUQUE

This record was acknowledged before me this 30 day of September, 2019, by Randy Recker and Lynn Recker, husband and wife.



Susan K Meyer
Notary Public in and for the State of Iowa

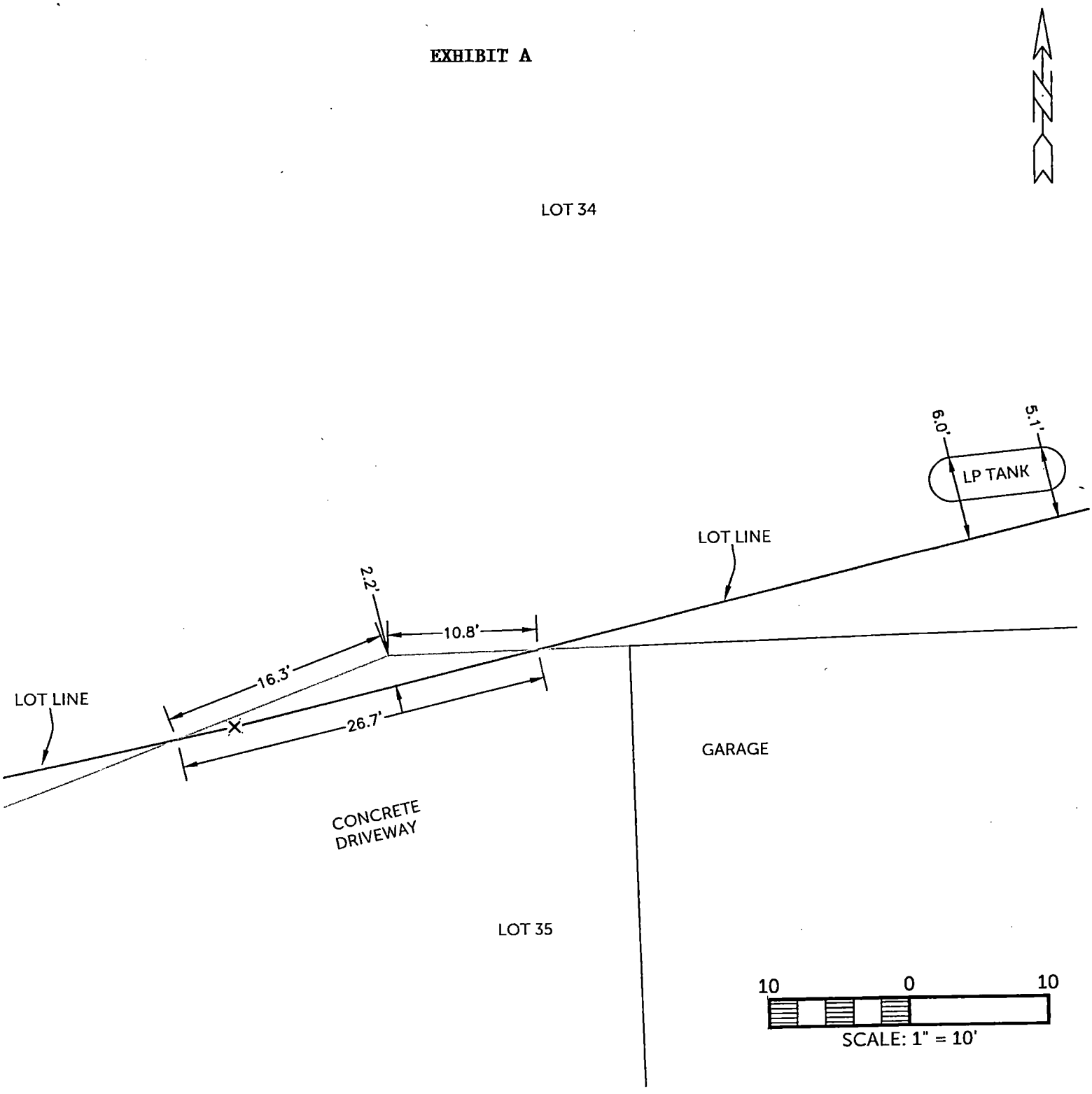
STATE OF IOWA, COUNTY OF DUBUQUE

This record was acknowledged before me this 30 day of September, 2019, by Terrance A. Walen and Kristin K. Meany-Walen, husband and wife.

Susan K Meyer
Notary Public in and for the State of Iowa



EXHIBIT A



BURRINGTON GROUP, INC.
Civil Engineering | Land Surveying
105 W. Main Street Manchester, Iowa 52057 Phone 563-927-2434 burringtongroup.com