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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARED BY: Michael A. Bowman, Bradley & Riley PC, 114 S. Cedar St., Monticello, IA 52310, PH: (319) 465-5448

EASEMENT AGREEMENT

COMES NOW, Lynn M. Starks, not married and Rodney D. Starks and Mary Kay Starks, husband and wife, and hereby enter into the following easement agreement:

1. Lynn M. Starks is the owner of the following described property located in Delaware County, Iowa, to-wit:

See attached **EXHIBIT A** for full legal description

2. Rodney D. Starks and Mary Kay Starks, husband and wife, are the owners of the following described property, which lies adjacent to the property described in EXHIBIT A, legally described to-wit:

See attached **EXHIBIT B** for full legal description

3. The parties note and agree that the driveway used by Rodney D. Starks and Mary Kay Starks, lies on the property of Lynn M. Starks, encroaching approximately twelve (12) feet thereon. The parties further note that one (1) 1000 gallon L.P. tanks belonging to Lynn M. Starks lies and encroaches on the property owned by Rodney D. Starks and Mary Kay Starks.

4. Lynn M. Starks, in consideration of one dollar and other valuable consideration, hereby grants to Rodney D. Starks and Mary Kay Starks, their heirs and successors-in-interest, a permanent easement to the north 12 feet of east 44 feet of the West 115 feet of her property described herein for driveway and parking purposes. This easement shall run with the land and shall be binding on her heirs and successors-in-interest.

5. Rodney D. Starks and Mary Kay Starks, husband and wife, in consideration of one dollar and other valuable consideration, hereby grant to Lynn M. Starks, easement rights to and the ability to place L.P. tanks (or tank) in their current location in the southwest corner of the property described in Exhibit B. Should Lynn M. Starks sell her property, the parties shall separate the tanks so that each property owner shall have individual access and responsibility to one tank. The easement shall run with the land and shall be binding on their heirs and successors-in-interest. The parties agree to grant additional easement rights to accommodate the individual lines and tank locations, once the location of the tanks and distribution lines are

finalized. Lynn M. Starks or her successors shall be responsible for moving the tank.

6. This agreement shall be binding when recorded in the office of the Delaware County Recorder.

Dated this 4th day of February, 2019.

Lynn M. Starks

Rodney D. Starks

Mary Kay Starks

STATE OF IOWA)
) ss.
JONES COUNTY)

On this 4th day of February, 2019, before me, the undersigned, a Notary Public in and for said State, personally appeared Lynn M. Starks, Rodney D. Starks and Mary Kay Starks, 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.

Cheryl Peters
Notary Public in and for said State

NOTARIAL SEAL IOWA
CHERYL PETERS
Commission Number 197212
My Commission Expires
7-3-22

EXHIBIT ~~B~~ A

Lot Three (3) except the Northerly Twelve and one-half (12½) feet thereof; and the thirty (30.0) feet wide access located between Lots Two (2) and Three (3) all in H.L.C. First Subdivision of part of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) and part of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Nineteen (19), Township Eighty Eight (88) North, Range Four (4), West of the Fifth P.M.

together with all lake frontage running to the middle of the Maquoketa River with regard to the above-described property

EXHIBIT A B

That part of Lots Four (4) and Five (5) of H. L. C. First Subdivision of part of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) and part of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Nineteen (19), Township Eighty Eight (88) North, Range Four (4), West of the Fifth Principal Meridian, according to plat recorded in Book 2 Plats, Page 176, described as commencing at the Northeast corner of said Lot Four (4) and running thence Southerly along the Easterly line of Lot Four (4) a distance of sixty two and one-half (62½) feet, thence Southwesterly on a line parallel with the North line of said Lot Four (4) a distance of one hundred fifty (150.0) feet to the West line of said Lot Four (4), thence Northerly along the West line of Lot Four (4) a distance of fifty (50.0) feet, thence North 54° 18' 24" East one hundred fifty two and ninety seven one-hundredths (152.97) feet to the Easterly line of Lot Five (5), thence Southerly along the Easterly line of Lot Five (5) a distance of seventeen and one-half (17½) feet to the point of beginning, from the 7th day of October, 1980, at 8:00 o'clock A.M. to the 30th day of August, 1999, at 8:00 o'clock A.M.

AND

The Northerly twelve and five-tenths (12.5) feet of Lot Three (3), and the Southerly thirty seven and one-half (37.5) feet of Lot Four (4) of H. L. C. First Subdivision of part of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) and part of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Nineteen (19), Township Eighty Eight (88) North, Range Four (4), West of the Fifth Principal Meridian, Delaware County, Iowa,