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LISA SMITH, COUNTY RECORDER  
MADISON COUNTY IOWA

CHEK

W **Preparer:** David C. Pulliam, 4201 Westown Pkwy, Ste 250, West Des Moines, IA 50266 (515) 283-1801 (LIN82341))  
✓ **Return To:** Christopher Kuonen and Ashley Kuonen, 1869 168th Street, EARLHAM, IA 50072

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**SHARED DRIVEWAY AGREEMENT**

This Agreement is entered into on this 21<sup>st</sup> day of July, 2020 between Carl Tessmer and Sara Tessmer, husband and wife, (hereinafter Tessmer) and Christopher Kuonen and Ashley Kuonen, husband and wife, (hereinafter Kuonen).

WHEREAS, Tessmer is the titleholder to the real estate legally described as follows:

**The Southeast Quarter (1/4) of the Southwest Quarter (1/4) and the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Four (4), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, EXCEPT Parcel "K" located in the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Four (4), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, containing 3.60 acres, as shown in Plat of Survey filed in Book 2020, Page 2445 on July 8, 2020, in the Office of the Recorder of Madison County, Iowa**

WHEREAS, Kuonen is the titleholder to the real estate legally described as follows:

**Parcel "K" located in the Southwest Quarter (1/4) of the Southeast Quarter (1/4) of Section Four (4), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, containing 3.60 acres, as shown in Plat of Survey filed in Book 2020, Page 2445 on July 8, 2020, in the Office of the Recorder of Madison County, Iowa**



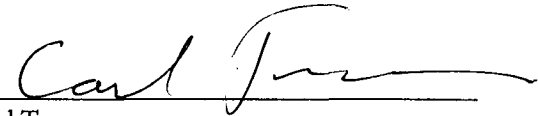
WHEREAS, the parties and the two parcels of real estate described above currently share a joint driveway.

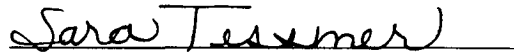
WHEREAS, the parties now desire to establish the interest of each party and parcel as to the use and maintenance of said driveway.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and other valuable consideration, the receipt of which is hereby acknowledged by all parties, Tessmer and Kuonen agree as follows:

1. Each party shall enjoy a right of ingress and egress over the driveway, which lies on portions of both parcels of real estate described herein.
2. The parties agree to share equally the costs of maintaining the driveway with respect to common maintenance such as snow and ice removal and minor repairs. The cost of major repairs to said driveway, such as resurfacing, paving, grading, or other similar large undertaking, shall be shared equally by Tessmer and Kuonen. Prior to making such repairs, Tessmer and Kuonen must agree to said major repairs in writing.
3. Tessmer and Kuonen hereby covenant to use best, good faith efforts to keep said driveway clear of debris, obstruction, and any other object, which may hinder the enjoyment of the mutual easement granted herein.
4. This Agreement shall be binding upon the successors, heirs, assignees and devisees of Tessmer and Kuonen and any other subsequent titleholders to the real property described herein, and shall constitute a covenant running with the land legally described herein.
5. The Agreement and covenants set forth herein constitute the entire Agreement between the parties, and may not be altered except in writing by Tessmer and Kuonen, or their successors in interest in the real estate described herein.

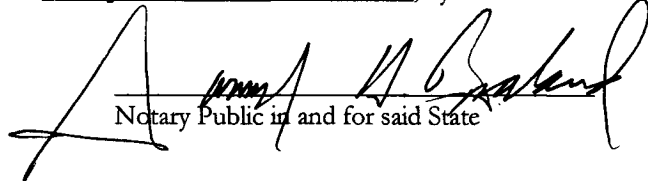
Dated: July 21, 2020

  
\_\_\_\_\_  
Carl Tessmer

  
\_\_\_\_\_  
Sara Tessmer

STATE OF IOWA )  
 )ss:  
COUNTY OF MADISON )

This record was acknowledged before me on July 21, 2020, by Carl Tessmer and Sara Tessmer, husband and wife.

  
\_\_\_\_\_  
Notary Public in and for said State



