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Revenue Tax:
LISA SMITH RECORDER
Madison County, Iowa

AMENDMENT TO DECLARATION OF PRIVATE ROAD AND UTILITIES ACCESS EASEMENT AGREEMENT

Preparer Information: (name, address and phone number)

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Taxpayer Information: (name and complete address)

N/A

Return Document To: (name and complete address)

Justin Dalton, Dalton Law, PLC, 2521 128th Street, Urbandale, IA 50323

Preparer

Grantors:

Stephen I. Roney, Ashley J. Roney

Justin J. Dalton, Ann W. Dalton

Grantees:

To Whom It May Concern

Legal Description: See on Pages 5 and 6.

Document or instrument number of previously recorded documents:

Madison County Records Book 2020, Page 2651

NOTE: This cover page is prepared in compliance with Iowa Code Section 331.606b, (2013). This cover page is provided for information purposes only.

AMENDMENT TO DECLARATION OF PRIVATE ROAD AND UTILITIES ACCESS EASEMENT AGREEMENT

FOR VALUABLE CONSIDERATION, Stephen Roney and Ashley Roney, husband and wife ("Roney Grantors"), and Justin Dalton and Ann Dalton, husband and wife ("Dalton Grantors"), on this 3rd day of November, 2020, do hereby enter this Amendment to Declaration of Private Road and Utilities Access Easement Agreement ("Amendment").

RECITALS - WITNESSETH:

WHEREAS, Roney Grantors and Dalton Grantors (hereafter, collectively "Grantors") wish to amend the Declaration of Private Road and Utilities Access Easement Agreement entered between the parties on 7/23/2020 and recorded in Book 2020, Page 2651 at the Madison County Recorder's Office ("Easement Agreement"). All capitalized terms in this Amendment shall have the same meaning ascribed to them as they are defined in the Easement Agreement;

NOW, THEREFORE, the following permanent easement and restrictions are hereby imposed upon the Parcels (which are defined in Exhibits A and B hereto) as follows:

1. The Recitals to this Agreement are incorporated into and constitute a part of this Agreement as if fully set forth herein.
2. The Easement Agreement established a permanent fifty foot-wide (50') private road and utilities access easement for the benefit of the Parcels and any Accessing Parcels. The easement is legally described as follows:

A 50.00-FOOT-WIDE PRIVATE INGRESS/EGRESS & UTILITY EASEMENT LOCATED IN PARCEL 'AA' AND PARCEL 'AB', AS RECORDED IN BOOK 2020, PAGE 2648 AT THE MADISON COUNTY RECORDER'S OFFICE, IN THE NE1/4 SE1/4 OF SECTION 13, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA, AS DEPICTED ON SAID PARCEL 'AA' & 'AB' PLAT OF SURVEY, WITH A CENTERLINE THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AS A POINT OF REFERENCE AT THE E1/4 CORNER OF SAID SECTION 13, SAID E1/4 CORNER ALSO BEING THE SE CORNER OF ROLLING ACRES, AN OFFICIAL PLAT RECORDED IN BOOK 1, PAGE 149 AT THE MADISON COUNTY RECORDER'S OFFICE; THENCE S00°20'40"W, 660.18 FEET ALONG THE EAST LINE OF SAID NE1/4 SE1/4 TO A POINT THE POINT OF BEGINNING; THENCE S83°32'05"W, 544.89 FEET TO THE NE CORNER OF SAID PARCEL 'AB'; THENCE CONTINUING S83°32'05"W, 348.21 FEET ALONG THE NORTH LINE OF SAID PARCEL 'AB' TO A POINT OF TERMINUS AS DEPICTED ON SAID PARCEL 'AA' & 'AB' PLAT OF SURVEY.

3. The Easement Agreement references public utilities. It is the intention of the Grantors that the easement include both public and private utilities. Accordingly, any reference in the Easement Agreement to utilities shall hereby include any and all public and/or private utilities, including but not limited to the Warren Water District, a non-profit governmental entity established under Code 357A State of Iowa and Mid American Energy Company.

4. Except as modified by this Amendment, the Easement Agreement shall continue in full force and effect.

RONEY GRANTORS

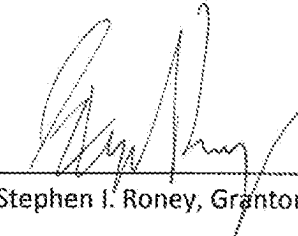
DALTON GRANTORS



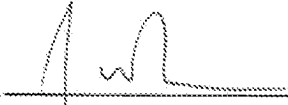
Ashley J. Roney, Grantor



Ann W. Dalton, Grantor



Stephen I. Roney, Grantor



Justin J. Dalton, Grantor

EXHIBIT A

PARCEL "AA" LEGAL DESCRIPTION _ GRANTOR RONEYS' LAND

A PARCEL OF LAND IN NE1/4 SE1/4 & NW1/4 SE1/4 OF SECTION 13, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE E1/4 CORNER OF SAID SECTION 13, SAID E1/4 CORNER ALSO BEING THE SE CORNER OF ROLLING ACRES, AN OFFICIAL PLAT RECORDED IN BOOK 1, PAGE 149 AT THE MADISON COUNTY RECORDER'S OFFICE; THENCE S00°20'40"W, 1320.36 FEET ALONG THE EAST LINE OF SAID NE1/4 SE1/4 TO THE SE CORNER OF SAID NE1/4 SE1/4; THENCE S83°19'18"W, 545.14 FEET ALONG THE SOUTH LINE OF SAID NE1/4 SE1/4 TO A POINT; THENCE N00°20'40"E, 662.22 FEET ALONG A LINE THAT IS PARALLEL TO SAID EAST LINE OF THE NE1/4 SE1/4 TO A POINT ON THE SOUTH LINE OF THE NORTH 655.52 FEET OF SAID NE1/4 SE1/4; THENCE S83°32'05"W, 1265.82 FEET ALONG SAID SOUTH LINE OF THE NORTH 655.52 FEET TO A POINT; THENCE N00°20'40"E, 395.95 FEET ALONG A LINE THAT IS PARALLEL TO SAID EAST LINE OF THE NE1/4 SE1/4 TO A POINT; THENCE N55°00'00"W, 215.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 120.00 FEET OF SAID NW1/4 SE1/4; THENCE S83°32'05"W, 125.00 FEET ALONG SAID SOUTH LINE OF THE NORTH 120.00 FEET OF THE NW1/4 SE1/4 TO A POINT; THENCE S50°00'00"W, 140.00 FEET TO A POINT; THENCE S32°00'00"W, 453.15 FEET TO A POINT; THENCE S83°32'05"W, 124.44 FEET ALONG A LINE THAT IS PARALLEL TO THE NORTH LINE OF SAID NW1/4 SE1/4 TO A POINT ON THE WEST LINE OF SAID NW1/4 SE1/4; THENCE N00°15'45"E, 555.98 FEET ALONG THE WEST LINE OF SAID NW1/4 SE1/4 TO THE NW CORNER OF SAID NW1/4 SE1/4, SAID NW CORNER ALSO BEING THE SW CORNER OF ROLLING ACRES; THENCE N83°32'05"E, 2586.04 FEET ALONG THE NORTH LINE OF SAID SE1/4, SAID NORTH LINE ALSO BEING THE SOUTH LINE OF SAID ROLLING ACRES TO THE POINT OF BEGINNING AND CONTAINING 40.62 ACRES INCLUDING 1.21 ACRES OF PUBLIC RIGHT-OF-WAY EASEMENT MORE OR LESS.

EXHIBIT B

PARCEL "AB" LEGAL DESCRIPTION _ GRANTOR DALTONS' LAND

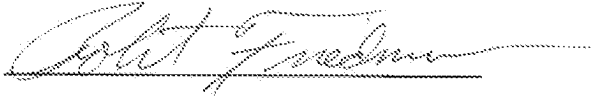
A PARCEL OF LAND IN NE1/4 SE1/4 & NW1/4 SE1/4 OF SECTION 13, TOWNSHIP 77 NORTH, RANGE 26 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA THAT IS MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF SAID NW1/4 SE1/4; THENCE N00°15'45"E, 767.36 FEET ALONG THE WEST LINE OF SAID NW1/4 SE1/4 TO A POINT; THENCE N83°32'05"E, 124.44 FEET ALONG A LINE THAT IS PARALLEL TO THE NORTH LINE OF SAID NW1/4 SE1/4 TO A POINT; THENCE N32°00'00"E, 453.15 FEET TO A POINT; THENCE N50°00'00"E, 140.00 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 120.00 FEET OF SAID NW1/4 SE1/4; THENCE S83°32'05"W, 125.00 FEET ALONG SAID SOUTH LINE OF THE NORTH 120.00 FEET OF THE NW1/4 SE1/4 TO A POINT; THENCE S55°00'00"E, 215.00 FEET TO A POINT; THENCE S00°20'40"W, 395.95 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 655.52 FEET OF SAID SE1/4; THENCE N83°32'05"E, 1265.82 FEET ALONG SAID SOUTH LINE OF THE NORTH 655.52 FEET TO A POINT; THENCE S00°20'40"W, 662.22 FEET ALONG A LINE THAT IS PARALLEL TO THE EAST LINE OF SAID NE1/4 SE1/4 TO A POINT ON THE SOUTH LINE OF SAID NE1/4 SE1/4; THENCE S83°19'18"W, 737.15 FEET ALONG SAID SOUTH LINE TO THE SW CORNER OF SAID NE1/4 SE1/4; THENCE S83°36'15"W, 1302.23 FEET ALONG THE SOUTH LINE OF SAID NW1/4 SE1/4 TO THE POINT OF BEGINNING AND CONTAINING 37.37 ACRES MORE OR LESS.

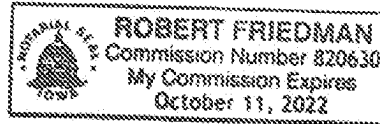
INDIVIDUAL ACKNOWLEDGEMENTS

STATE OF IOWA COUNTY OF POLK

This record was acknowledged before me on November 3, 2020, by Justin J. Dalton.

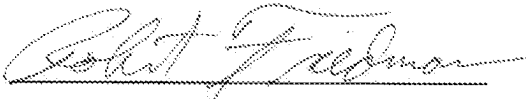


Signature of Notary Public

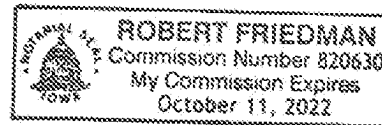


STATE OF IOWA COUNTY OF POLK

This record was acknowledged before me on November 3, 2020, by Ann W. Dalton.

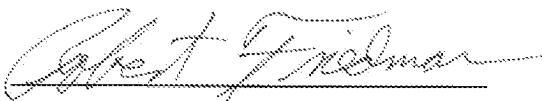


Signature of Notary Public

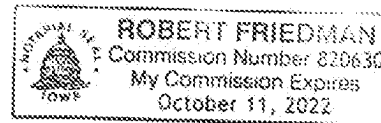


STATE OF IOWA COUNTY OF POLK

This record was acknowledged before me on November 3, 2020, by Ashley J. Roney.

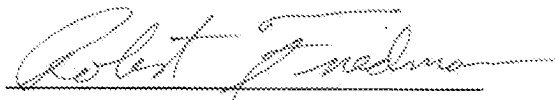


Signature of Notary Public



STATE OF IOWA COUNTY OF POLK

This record was acknowledged before me on November 3, 2020, by Stephen I. Roney.



Signature of Notary Public

