



Document 2020 69

Book 2020 Page 69 Type 06 001 Pages 8

Date 1/07/2020 Time 12:46:17PM

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INDX
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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

**INGRESS EGRESS EASEMENT
Recorder's Cover Sheet**

Preparer Information: (name, address and phone number)

Adam Doll, 1009 Main Street, Adel, IA 50003, Phone: (515) 993-4545

$\frac{1}{3}$

Taxpayer Information: (name and complete address)

Debra L. Perkins, 1211 Husky Drive, Winterset, IA 50273

$\frac{1}{3}$

Return Document To: (name and complete address)

Adam Doll, 1009 Main Street, Adel, IA 50003

Grantor:

Debra L. Perkins

Grantee:

Estate of Donald A. Bolton

Legal Description: See Page 2

Document or instrument number of previously recorded documents: N/A

INGRESS EGRESS EASEMENT

Now on this 2nd day of January, 2020 the owner of Parcel "K" ("Parcel K"), Debra L. Perkins, a single person, ("Grantor") and the owner of Madison County parcel numbers 560110146013000, 560110164010000, 560110166000000, and 560110282020000 ("Bolton Land"), Estate of Donald A. Bolton ("Grantee") have agreed to an ingress/egress easement over Parcel "K" for the benefit of Bolton Land. See the attached Exhibit A for the legal descriptions for Parcel "K" and Bolton Land.

The parties have agreed to reduce this agreement to writing and state as follows:

1. Grantor. Debra L. Perkins is the current owner of Parcel "K" of the Southwest Quarter of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter all in Section 1-75-28 West of the 5th P.M., Madison County, Iowa as shown in Plat of Survey recorded in Book 2007 Page 3577 of the Madison County, Iowa records.
2. Grantee. The Estate of Donald A. Bolton is the current owner of Bolton Land comprised of Madison County parcel numbers 560110146013000, 560110164010000, 560110166000000, and 560110282020000 in the Southeast Quarter of Section 2-75-28 and the Southwest Quarter and Northwest Quarter of Section 1-75-28 West of the 5th P.M., Madison County, Iowa.
3. Easement Area. For One Dollar (\$1.00) and other good and valuable consideration, the Grantor hereby provides to the Grantee an ingress/egress easement over Parcel "K" as shown on the attached Exhibit B. This area shall be known as the "Easement Area."
4. Maintenance. The Grantee shall be responsible for all costs of maintenance and repair over this easement area.
5. Erection of Structures Prohibited. Grantor, and their successors and assigns, shall not erect any structure, building, or fence over or within the Easement Area without obtaining prior written consent of the Grantee.
6. Change in Grade Prohibited. Grantor, and their successors and assigns, shall not substantially change the grade elevation or contour of any part of the Easement Area without obtaining the prior written consent of the Grantee.
7. Right of Access. The Grantee and their invitees shall have the right of access to the Easement Area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area as herein described, including, but not limited to,

the right to remove any unauthorized obstructions or structures placed or erected in the Easement Area.

- 8. Easement Runs with Land. This Easement shall be deemed to run with the land and shall be binding on Grantor and on Grantor's heirs, successors and assigns.
- 9. Jurisdiction and Venue. The Grantee and the Grantor agree the District Court in and for the State of Iowa shall have exclusive jurisdiction over the subject matter and enforcement of the terms and conditions of this Easement and said parties consent to the jurisdiction of the person being in Madison County, Iowa.

Grantor does HEREBY COVENANT with the Grantee that (i) Grantor holds said real estate described in the Easement Area by title in fees simple; (ii) that Grantor has good and lawful authority to convey the same; and (iii) said Grantor covenants to WARRANT AND DEFEND the said Easement area against the claims of all persons whomsoever.

Words and phrases, herein, including acknowledgement hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

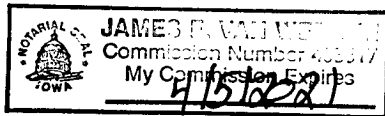
Signed this 2nd day of January, 2020

Debra L Perkins
Debra L. Perkins, Grantor

STATE OF IOWA, COUNTY OF MADISON

This record was acknowledged before me on January 2, 2020, by Debra L. Perkins as Grantor.

James E Van Werdan
Signature of Notary Public

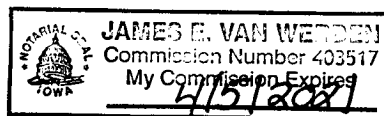


Debra L Perkins
Estate of Donald A. Bolton, Grantee
By: Debra L. Perkins, co-executor

STATE OF IOWA, COUNTY OF Madison

This record was acknowledged before me on January 2, 2020, by Debra L. Perkins as co-executor of Estate of Donald A. Bolton.

James E Van Werdan
Signature of Notary Public



Lisa K. Smith

Estate of Donald A. Bolton, Grantee
By: Lisa K. Smith, co-executor

STATE OF IOWA, COUNTY OF MADISON

This record was acknowledged before me on January 2, 2020, by Lisa K. Smith as co-executor of Estate of Donald A. Bolton.

James E. Van Werden
Signature of Notary Public

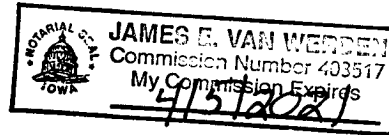


EXHIBIT A

Parcel "K" legal description:

Parcel "K" in the Southwest Quarter of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter all in Section 1, Township 75 North, Range 28 West of the 5th P.M., Madison County, Iowa more particularly described as follows:

Beginning at the Northeast Corner of the Southwest Quarter of the Northwest Quarter of Section 1, Township 75 North, Range 28 West of the 5th P.M., Madison County, Iowa thence South 89°28'01" East 651.25 feet to a point on the Westerly right-of-way line of the City of Winterset Street right-of-way; thence South 33°55'37" West 453.89 feet along said right-of-way line; thence South 15°53'14" West 66.35 feet along said right-of-way line; thence North 68°06'15" West 445.11 feet; thence North 89°14'03" West 288.14 feet; thence North 00°45'54" West 129.01 feet; thence North 89°26'59" East 59.75 feet to a point on the West line of existing Parcel "G"; thence South 00°01'43" East 104.35 feet; thence South 89°21'13" East 173.63 feet; thence North 01°01'00" East 254.56 feet to a point on the North line of the Southwest Quarter of the Northwest Quarter of said Section 1; thence South 89°14'03" East 85.18 feet to the Point of Beginning containing 5.335 acres including 0.402 acres of County Road right-of-way.

Bolton Land legal description:

The following described real estate, to-wit: Two (2) Acres in a triangular form in the Northeast corner of the Southeast Quarter (1/4) of Section Two (2); The West Half (1/2) of the Northwest Quarter (1/4) of the Southwest Quarter (1/4), and the following described tract of land, to-wit: Commencing at the Southwest corner of the East Half (1/2) of the Northwest Quarter (1/4) of the Southwest Quarter (1/4), running thence North 80 rods, thence East 47 rods, thence in a Southwesterly direction down the center of a ravine to the place of beginning; and the Southwest Quarter (1/4) of the Northwest Fractional Quarter (1/4), and the Southwest Quarter (1/4) of the Southwest Quarter (1/4); and the North 17 1/4 rods of the following described tract of land, to-wit: Commencing at the Northwest corner of the Southeast Quarter (1/4) of the Northwest Quarter (1/4), and running thence East 31.03 rods, thence South 19 rods, thence in a Southwesterly direction along the West side of the road or public highway to a point 8 rods East of the Southwest corner of said 40 acre tract, thence West 8 rods, thence North to the point of beginning, being all that part of said tract of land which lies North of the South line of a certain private road crossing said tract of land from East to West, and being approximately 27 5/8 rods across the South side thereof, and estimated to contain 3.57 acres more or less; of Section One (1); all in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa,

EXCEPT:

Commencing at the Northwest corner of the Southwest Quarter (1/4) of the Northwest Fractional Quarter (1/4) of Section One (1), in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, thence East 1,055 feet, thence South 151 feet, thence West 60 feet, thence South 287 feet, thence West 995 feet, thence North 438 feet to the point of beginning, containing 10.2128 acres, more or less,

AND, EXCEPT:

Parcel "G", located in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section One (1), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Commencing at the Northwest corner of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of Section One (1), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 90°00'00" East, 1055.00 feet along the North line of the Southwest Quarter (1/4) of the

Northwest Quarter (1/4) of said Section One (1) to the Point of Beginning; thence North 90°00'00" East, 178.16 feet along the North line of the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section One (1); thence South 00°14'37" West, 254.50 feet long an existing fenceline; thence south 89°48'59" West, 173.80 feet along an existing fenceline; thence North 00°44'06" West, 255.08 feet along an existing fenceline to the Point of Beginning. Said Parcel contains 1.025 acres.

AND, EXCEPT:

Parcel "K" in the Southwest Quarter of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter all in Section 1, Township 75 North, Range 28 West of the 5th P.M., Madison County, Iowa more particularly described as follows:

Beginning at the Northeast Corner of the Southwest Quarter of the Northwest Quarter of Section 1, Township 75 North, Range 28 West of the 5th P.M., Madison County, Iowa thence South 89°28'01" East 651.25 feet to a point on the Westerly right-of-way line of the City of Winterset Street right-of-way; thence South 33°55'37" West 453.89 feet along said right-of-way line: thence South 15°53'14" West 66.35 feet along said right-of-way line; thence North 68°06'15" West 445.11 feet; thence North 89°14'03" West 288.14 feet; thence North 00°45'54" West 129.01 feet; thence North 89°26'59" East 59.75 feet to a point on the West line of existing Parcel "G"; thence South 00°01'43" East 104.35 feet; thence South 89°21'13" East 173.63 feet; thence North 01°01'00" East 254.56 feet to a point on the North line of the Southwest Quarter of the Northwest Quarter of said Section 1; thence South 89°14'03" East 85.18 feet to the Point of Beginning containing 5.335 acres including 0.402 acres of County Road right-of-way.

AND, EXCEPT:

Parcel "P": That part of the Southwest Quarter of the Northwest Quarter of Section 1, Township 75 North, Range 28 West of the 5th P.M., Madison County, Iowa, described as follows; Commencing at the Northeast corner of said Southwest Quarter of the Northwest Quarter; thence North 89 degrees 00 minutes 55 seconds West, 263.66 feet along the North line of said Southwest Quarter of the Northwest Quarter to the Northwest corner of Parcel G, recorded in Farm Plat Book 3 Page 333, thence South 00 degrees 05 minutes 53 seconds West, 150.61 feet along the West line of said Parcel G to a corner of Parcel K, recorded in Book 2007 Page 3577; thence South 89 degrees 40 minutes 16 seconds West, 59.77 feet to a corner of said Parcel K; thence South 00 degrees 34 minutes 09 seconds East, 129.00 feet to a corner of said Parcel K and to the Point of Beginning; thence South 00 degrees 34 minutes 09 seconds East, 62.63 feet; thence South 88 degrees 22 minutes 28 seconds East, 186.48 feet; thence North 48 degrees 51 minutes 00 seconds East, 95.90 feet to the South line of said Parcel K; thence North 88 degrees 56 minutes 08 seconds West, 259.28 feet to the Point of Beginning, having an area of 0.33 Acres.

Now described by Madison County Abstract Company of Winterset, Iowa, as:

The Northeast Quarter (1/4) of the Southeast Quarter (1/4) of Section Two (2), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, EXCEPT all that part of Kippy Ridge Estates located therein; AND all that part of the North Half (1/2) of the Southwest Quarter (1/4) of Section One (1), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, lying North and West of the center of a ravine running through said North Half (1/2) of the Southwest Quarter (1/4) of said Section One (1); AND the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of said Section One (1); AND the Southwest Quarter (1/4) of the Northwest Fractional Quarter (1/4) of Said Section One (1), EXCEPT the following described tracts, to-wit:



1. A tract of land located in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section One (1), containing 10.2128 acres, more or less, and more particularly described as follows, to-wit:
Commencing at the Northwest corner of the Southwest Quarter (1/4) of the Northwest Fractional

Quarter (1/4) of said Section One (1), thence East 1,055 feet, thence South 151 feet, thence West 60 feet, thence South 287 feet, thence West 995 feet, thence North 438 feet to the point of beginning;

2. Parcel "G" located in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section One (1), containing 1.025 acres, as shown in Plat of Survey filed in Book 3, Page 333 on October 22, 1998, in the Office of the Recorder of Madison County, Iowa;
3. All that part of Parcel "K" located in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section One (1), as shown in Plat of Survey filed in Book 2007, Page 3577 on September 20, 2007, in the Office of the Recorder of Madison County, Iowa;
4. Parcel "P" located in the Southwest Quarter (1/4) of the Northwest Quarter (1/4) of said Section One (1), containing 0.33 acres, as shown in Plat of Survey filed in Book 2019, Page 1294 on May 7, 2019, in the Office of the Recorder of Madison County, Iowa.

BK: 2019 PG: 4018
Recorded: 12/18/2019 at 1:21:50.0 PM
Pages 1
County Recording Fee: \$7.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$10.00
Revenue Tax:
LISA SMITH RECORDER
Madison County, Iowa

