

BK: 2023 PG: 2023
Recorded: 8/25/2023 at 11:11:47.0 AM
Pages 5
County Recording Fee: \$27.00
Iowa E-Filing Fee: \$3.50
Combined Fee: \$30.50
Revenue Tax:
BRANDY L. MACUMBER, RECORDER
Madison County, Iowa

Prepared by: James W. Mailander, Mailander Law, PLC, 694 Main Street, PO Box 305, Anita,
Iowa 50020, 712-762-3844
Return to: James W. Mailander, Mailander Law, PLC, 694 Main Street, PO Box 305, Anita,
Iowa 50020

AFFIDAVIT

STATE OF IOWA :
: ss
COUNTY OF CASS :

COMES NOW James W. Mailander, and being first duly sworn upon oath deposes and states as follows:

The attached Easement includes the legal description of the property, across which there is an ingress and egress Easement to the adjoining property, directly to the North thereof.

However, the property to the North, which receives the benefit of this ingress and egress Easement, was not described by a legal description, only by the owner, who, at the date on the Easement was Anna Baldwin.

This Easement has remained in full force and effect since its inception in 1956, and various Baldwins continued to own the property until recently when William and Shelby Herrick purchased the property from John Baldwin and Joanne Baldwin.

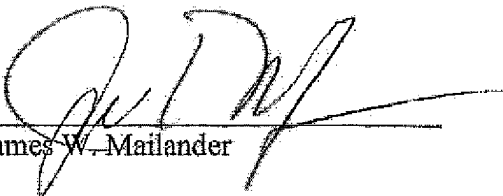
The purpose of this Affidavit is to add the legal description to the property that benefits from this Easement, and said legal description is:

The South Half (1/2) of the Northeast Quarter (1/4) AND the Northeast Quarter (1/4) of the Southeast Quarter (1/4), ALL in Section Six (6), Township Seventy-six (76) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa, EXCEPT a tract of land located in the Southeast Quarter (1/4) of the Northeast Quarter (1/4) of said Section Six (6), more particularly described as follows to-wit: Commencing at the Southeast corner of the Southeast Quarter (1/4) of the Northeast Quarter (1/4) of Section Six (6), running thence North 20 Rods, thence West to the edge of the water in North River at low water mark, thence in a Southerly direction along the East edge of the water in said North River to the half-section line; thence East to the place of beginning.

As stated in the original Easement, it continues for all "grantees, successors, and assigns..."

The undersigned Affiant has no interest in this property.

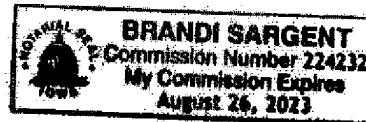
Date: 8-24-2023


James W. Mailander

STATE OF IOWA, COUNTY OF CASS, ss.:

This instrument was acknowledged before me on August 24, 2023, by James W. Mailander.


NOTARY PUBLIC - STATE OF IOWA



Frank G. Jorgensen et al #2907

To

Fee \$1.20 11/34

Filed for record this 26 day of July
A. D. 1956 at 3:15 o'clock P. M.

Anna Baldwin

EASEMENT

Mary E. Welby, Recorder

Book 88 - 241

For value received, we the undersigned, FRANK G. JORGENSEN and ESSIE JORGENSEN, husband and wife and KATHRYN KENDALL and RUSSELL E. KENDALL, wife and husband, do hereby grant to ANNA BALDWIN of Dallas County, Iowa and to her grantees, successors and assigns the right of egress and ingress across the following described real estate, to-wit:

Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 6, Township 76 North, Range 29, West of the 5th P.M., Madison County, Iowa

For the purpose of entering lands owned by the said Anna Baldwin adjoining said above described real estate on the north, and for the purpose of moving machinery across said lands of grantors. This easement to convey the right to maintain a field road across said lands of the second party and to build such culverts and fill such ditches as is necessary to so maintain said road, such easement to be a perpetual easement for the purposes above set forth.

It is understood between the parties that the said crossing of said lands as aforesaid shall be done with the least possible amount of damage to said lands or crops.

Both parties acknowledge good and sufficient consideration for the execution of this easement.

Signed this 18th day of July, A.D., 1956.

Kathryn Kendall
Russell E. Kendall

Frank G. Jorgensen
Essie Jorgensen
Parties of the First Part

Notary Public
Russell E. Kendall

Parties of the First Part
Essie Jorgensen

Anna Baldwin
Party of the Second Part

STATE OF IOWA }
COUNTY OF GUTHRIE } SS

On this 25 day of July, A.D., 1956, before me Jane Scholl, a Notary Public in and for the County of Guthrie and State of Iowa, personally appeared Anna Baldwin, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my notarial seal the day and year last above written.

Jane Scholl Notary Public
in and for Guthrie County, Iowa
My commission expires on July 4, 1957.

(NOTARIAL SEAL)

STATE OF IOWA COUNTY OF MADISON) SS

On this 19 day of July, A.D., 1956, before me, Ralph B. Hunter, a Notary Public in and for the County of Madison and State of Iowa, personally appeared Frank G. Jorgensen and Essie Jorgensen, husband and wife, 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.

Deed Record, No. 88, Madison County, Iowa

IN WITNESS WHEREOF, I have hereunto signed my name and affixed my notarial seal the day and year last above written.

(NOTARIAL SEAL)

STATE OF NEBRASKA COUNTY OF DOUGLAS) SS

Ralph B. Hunter Notary Public
in and for Madison County, Iowa
My commission expires on July 4, 1957

On this 21st day of July, A.D., 1956, before me, F. L. Lang a Notary Public in and for the County of Douglas, State of Nebraska, personally appeared Kathryn Kendall and Russell E. Kendall, wife and husband, 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. IN WITNESS WHEREOF, I have hereunto signed my name and affixed my Notarial Seal the day and year last above written.

Notary Seal

F. L. Lang Notary Public
in and for Douglas County, Nebraska
My commission expires on Nov 5, 1958.