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Book 2025 Page 153 Type 06 001 Pages 4
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BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

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

Preparer Information:

Kyle Weber, 101 ½ W Jefferson, PO Box 230, Winterset, IA 50273, Phone: (515) 462-3731

Taxpayer Information:

Alvin and Carolyn Borntrager, 3128 Limestone Ave, Lorimor, IA 50149

Return Document To:

Kyle Weber, 101 ½ W Jefferson, PO Box 230, Winterset, IA 50273

Grantors:

Alvin and Carolyn Borntrager

Grantees:

Alvin and Carolyn Borntrager

Legal Description: See Page 2

Document or instrument number of previously recorded documents:

Ingress-Egress Easement

KNOW ALL PERSONS BY THESE PRESENTS:

That Alvin and Carolyn Borntrager (hereinafter called "Grantors") in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, the receipt of which is hereby acknowledged by the Grantors, do hereby sell, grant, and convey unto Alvin and Carolyn Borntrager ("Grantees"), owner's of the real estate legally described as

Parcel "H", located in the South Half (½) of the Northeast Quarter (¼) of Section Twenty-four (24), Township Seventy-four (74) North, Range Twenty-eight (28) West of the 5th PM, Madison County, Iowa, containing 10.00 acres, as shown in Plat of Survey filed in Book 2006, Page 2540 on June 21, 2006, in the Office of the Recorder of Madison County, Iowa; INCLUDING Parcel "K" located therein, containing 3.031 acres, as shown in Plat of Survey filed in Book 2019, Page ~~2713~~ ²¹⁷³, on July 17, 2019 in the Office of the Recorder of Madison County, Iowa. *ca*

("Benefitted Property")



a perpetual and exclusive roadway and right-of-way easement, as from time to time determined by Grantee, over and across the following described real estate:

The North 30 feet of Parcel "K" located therein, containing 3.031 acres, as shown in Plat of Survey filed in Book 2019, Page ~~2713~~ ²¹⁷³, on July 17, 2019 in the Office of the Recorder of Madison County, Iowa, being a part of said Parcel "H".

The easement shall be subject to the following terms and conditions:

1. Maintenance. The Grantor shall be responsible for all maintenance and repairs, and any costs of said maintenance and repairs over the Easement Area.
2. Erections of Structures Prohibited. Grantors 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.
3. Change in Grade Prohibited. Grantors 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.
4. 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 and unauthorized obstructions or structures placed or erected in the Easement Area.

5. Easement Runs with Land. This Easement shall be deemed to run with the land and shall be binding upon both Grantor's and on Grantee's heirs, successors and assigns.
6. 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.
7. Attorney's Fees. Either party may enforce this Easement by appropriate action, and the prevailing party in any litigation shall be entitled to recover as part of their costs the reasonable attorney's fees incurred in such litigation.

Grantors do HEREBY COVENANT with the Grantees that (i) Grantors hold said real estate described in the Easement Area by title in fee simple; (ii) that Grantors have good and lawful authority to convey the same; and (iii) said Grantors covenant to WARRANT AND DEFEND the said Easement area against the claims of all such person 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 13th day of January, 2025.

GRANTORS

Alvin Borntrager

Alvin Borntrager

1/15/25

Date

Carolyn Borntrager

Carolyn Borntrager

1/15/25

Date

GRANTEES

Alvin Borntrager

Alvin Borntrager

1/15/25

Date

Carolyn Borntrager

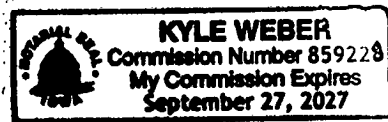
Carolyn Borntrager

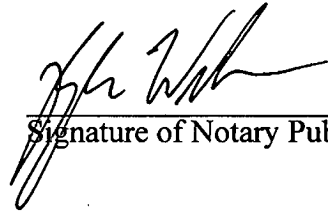
1/15/25

Date

STATE OF IOWA, COUNTY OF MADISON

This record was acknowledged before me on January 15, 2025 by Alvin Borntrager and Carolyn Borntrager.





Signature of Notary Public