

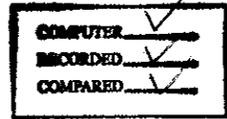
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MICHELLE "MICKI" UTSLER, COUNTY RECORDER  
MADISON IOWA



Prepared by: <sup>ve</sup> James W. Ries, P.O. Box 86, Greenfield, IA 50849; Phone: 641-743-6128

EASEMENT

IT IS HEREBY AGREED between **Larry A. Hughes and Marilyn L. Hughes**, husband and wife, Grantors, in consideration of One Dollar and Other Valuable Consideration (\$1.00 OVC) in hand paid by **Earl P. Binns**, single, Grantee, does hereby sell and convey unto said Grantee, his successors and assigns, the following:

A perpetual easement for the purpose of ingress and egress to the parcel of land legally described as:

The Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section Nine (9), Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa.

This being the dominate estate. The subservient estate being legally described as:

The North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$ ) of Section Sixteen (16), Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M. and approximately 17 acres of the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$ ) of Section Nine (9), Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa.

This perpetual easement shall run parallel to the existing conservation easement, with the centerline of the ingress and egress easement being twenty (20) feet from the southern edge of the conservation easement, and being thirty (30) feet in width, fifteen (15) feet on either side of the centerline. The legal description of the conservation easement being:

Commencing at the Southeast corner of Section Nine (9), Township Seventy-five (75) North, Range Twenty-nine (29) of the 5th P.M., Madison County, Iowa; thence, along the East line of said Section 9, North 00°05'30" West 43.71 feet to the Point of Beginning. Thence North 00°03'30" West 573.85 feet; thence North 57°36'22" West 946.11 feet to the West line of the SE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of said Section 9; thence, along said West line, North 00°16'47" East 457.27 feet to the centerline of Middle River; thence along said centerline, South 38°09'15" East 232.10 feet; thence South 03°30'27" West 133.84 feet; thence South 54°17'56" East 115.86 feet; thence South 86°03'36" East 212.97 feet; thence North 75°48'16" East 334.02 feet; thence South 24°35'32" East 251.96 feet; thence South 55°44'52" East 378.08 feet; thence South 23°24'32" East 75.93 feet; thence South 46°05'30" East 169.70 feet to the East line of said Section 9; thence departing said centerline of Middle River and along said East line, South 00°05'30" East 214.12 feet to the Point of Beginning.

The easement shall be used only as long as the dominate estate is used for a purpose that complies with the existing Madison County Zoning Ordinance, Section 9-Agricultural District Regulations, said purpose shall include but not be limited to commercial blue grass sod farming.

It shall be the responsibility of the owners of the dominant estate to construct and maintain this easement of ingress and egress. There shall be a gate across the easement entrance from the county road. This gate shall remain locked when the easement is not in use.

Those using the easement for ingress and egress to the dominate estate shall not destroy or commit waste upon the subservient estate during such use of the easement.

This easement agreement shall be binding upon successors in interest to the parties hereby joined.

Signed and dated by the Grantors this 23<sup>rd</sup> day of February, 2005.

Larry A. Hughes  
LARRY A. HUGHES

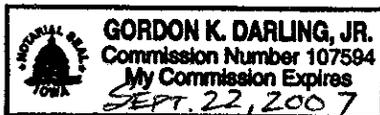
Marilyn L. Hughes  
MARILYN L. HUGHES

Signed and dated by the Grantee this 28 day of February, 2005.

Earl P. Binns  
EARL P. BINNS

STATE OF IOWA, COUNTY OF MADISON, SS:

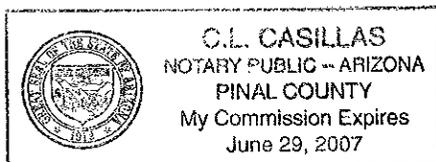
On this 23<sup>rd</sup> day of February, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Larry A. Hughes and Marilyn L. Hughes, husband and wife, Grantors, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



Gordon K. Darling, Jr.  
Notary Public

STATE OF ARIZONA, COUNTY OF PINAL, SS:

On this 28<sup>th</sup> day of February, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Earl P. Binns, single, Grantee, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.



C. L. Casillas  
Notary Public