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SERIALIZED ✓

Preparer ✓

Information: Jerrold B. Oliver

P.O. Box 230

Winterset

MICKI UTSLER
(515)462-8338
MADISON COUNTY, IOWA

AGREEMENT

This Agreement, made and entered into, by and between Dennis Woods, hereinafter called "Woods", and Jeanne M. Pierce, f/k/a Jeanne M. Carter and Timothy Pierce, wife and husband, hereinafter called "Pierce".

WHEREAS, Woods is the owner of the following described real estate:

Lots 3 and 4 of A and B Hillside Estates, Madison County, Iowa.

WHEREAS, Pierce is the owner of the following described real estate:

Commencing at the SE corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7-T75N-R27W of the 5th P.M., and being the point of beginning. Thence N00°00' 1,799.60 feet along the Quarter Quarter Sect. Line, thence N85°33'W, 417.40 feet, thence S00°00' 986.50 feet, thence S85°33'E, 271.20 feet, thence S15°05'E, 292.50 feet, thence S16°06'E, 155.27 feet, thence S00°19'W, 392.59 feet, thence S89°28'E, 28.76 feet to the point of beginning. Said parcel contains 10.52 Acres including 0.02 Acres of county road right-of-way

WHEREAS, the parties desire to establish an access easement for ingress and egress to and from their respective properties, over and across the following described real estate:

An Access easement located in the Northwest Quarter of the Southeast Quarter of Section 7, Township 75 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southeast Corner of the Northwest Quarter of the Southeast Quarter of Section 7, Township 75 North, Range 27 West of the 5th P.M.; thence North 00°00'00" West 491.86 feet along the East line of said Northwest Quarter of the Southeast Quarter, which is also the West line of A and B Hillside Estates Subdivision, to the Southwest Corner of Lot 4 of said Subdivision; thence North 90°00'00" West 55.17 feet to the West line of a parcel of land in said Northwest Quarter of the Southeast Quarter; thence South 16°06'00" East 103.05 feet along said West line; thence South 00°19'00" East 392.59 feet to a Point on the South line of said Northwest Quarter of the Southeast Quarter; thence South 89°28'00" East 28.76 feet to the Point of Beginning containing 0.342 acres

NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. The parties agree that each of them shall have a perpetual access easement which shall run with the land, over and across the "access easement" described, for ingress and egress to and from their respective properties, and for the installation of necessary utilities to serve their respective properties.

2. The owner of Lots 3 and 4 of A and B Hillside Estates, currently Woods, shall pay for 2/3 of the cost of maintenance, repair and snow removal for the driveway constructed in the easement area described above.

3. The owner of the property currently owned by Pierce described above, shall pay

for 1/3 of the cost of maintenance, repair and snow removal for the driveway constructed in the easement area described above.

4. Each of the parties shall pay for 100% of the cost of installation, maintenance and repair of any utilities installed to serve their respective properties, unless the parties otherwise agree upon a different arrangement for the cost of installation, maintenance and repair of such utilities.

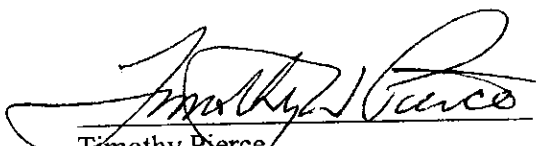
5. It is understood that Woods may sell Lot 3 of A and B Hillside Estates. In such event, Woods or the new owner or owners of Lot 3, shall have the right to construct an access to the access easement described above, and to use the access easement for ingress and egress to and from said property, and for the installation of necessary utilities to serve such property. In the event Woods sells Lot 3, the access to be constructed from the access easement to Lot 3, shall be constructed as close as possible to the property line between Lots 2 and 3, and in such event, the costs to be paid by Woods set forth in paragraph 2 above, shall be changed so that the owner of Lot 4 pays 1/3 of such costs and the owner of Lot 3 pays 1/3 of such costs.

6. In the event a new access or accesses are constructed from the access easement to Lot 3, said accesses shall be constructed so as not to cause any drainage problems for the owners of Lot 4 of A and B Hillside Estates, Madison County, Iowa, and the owner of the real estate currently owned by Pierce.

7. The access easement established by this Agreement shall a perpetual easement running with land and shall be binding upon the parties, their heirs, successors and assigns.

Dated this 3 day of April, 2002.



Dennis Woods


Timothy Pierce


Leanne M. Pierce

STATE OF IOWA, MADISON COUNTY, ss:

On this 3rd day of April, 2002, before me, the undersigned, a Notary Public in and for the said State, personally appeared, Dennis Woods, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.


Notary Public in and for the State of Iowa



STATE OF IOWA, MADISON COUNTY, ss:

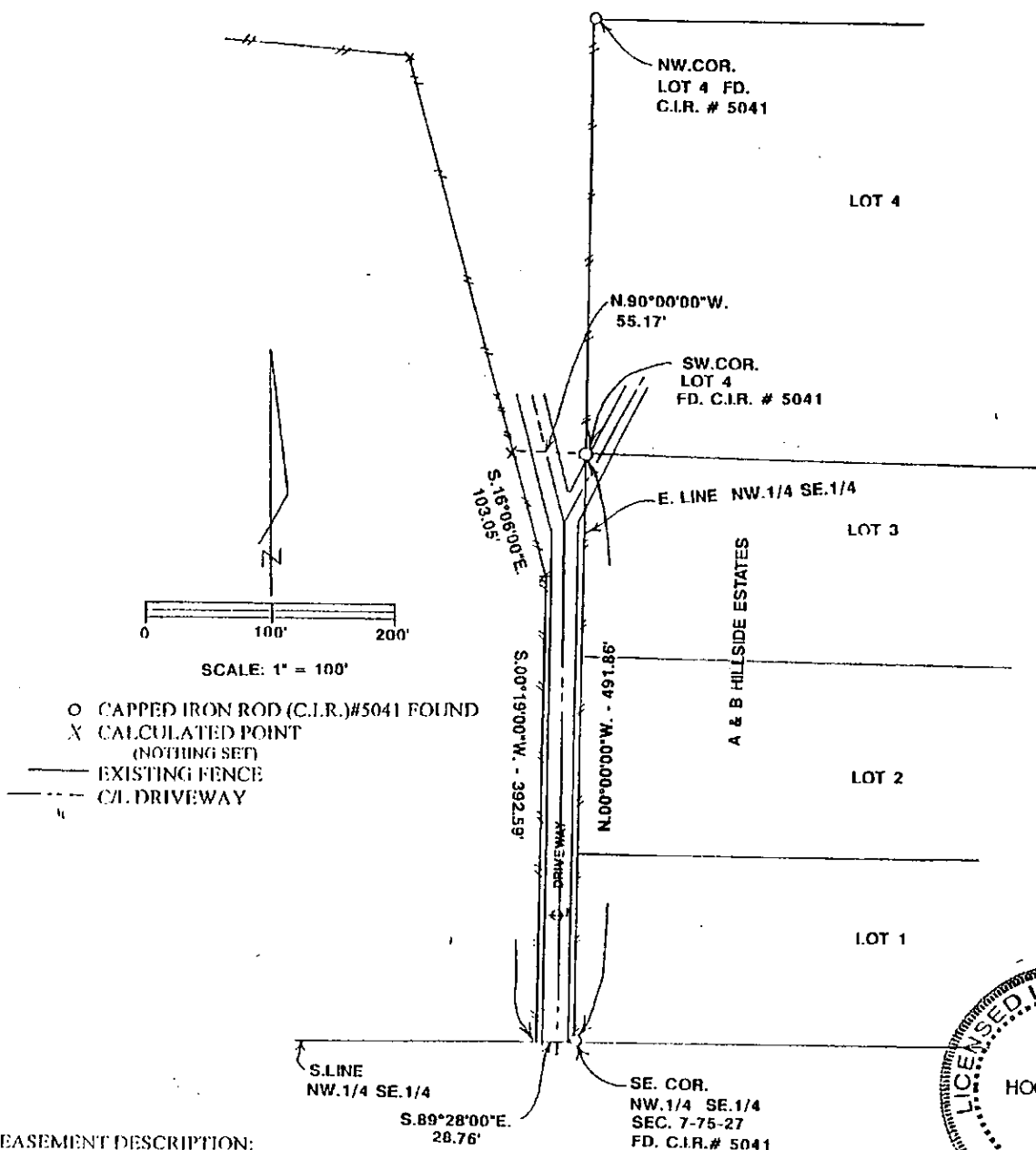
On this 3 day of April, 2002, before me, the unsigned, a Notary Public in and for said State, personally appeared Jeanne M. Pierce and Timothy Pierce, to me known to be the identical persons named in and show executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Carol Kiernan
Notary Public in and for the State of Iowa



VANCE & HOCHSTETLER, P.C. CONSULTING ENGINEERS, WINTERSET, IOWA (515) 462-3995
 CHARLES T. VANCE, 110 WEST GREEN ST., WINTERSET, IOWA 50273
 JAMES M HOCHSTETLER, 110 WEST GREEN ST., WINTERSET, IOWA 50273

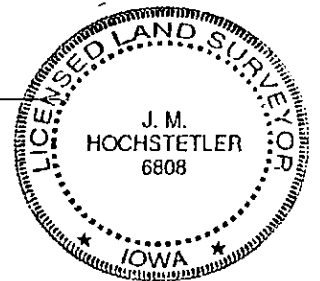
PLAT OF ACCESS EASEMENT FOR LOTS 1 THROUGH 4 OF A AND B HILLSIDE ESTATES ON PROPERTY OWNED BY JEANNE M. CARTER LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 75 NORTH, RANGE 27 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA.



EASEMENT DESCRIPTION:

An Access easement located in the Northwest Quarter of the Southeast Quarter of Section 7, Township 75 North, Range 27 West of the 5th P.M., Madison County, Iowa more particularly described as follows:

Beginning at Southeast Corner of the Northwest Quarter of the Southeast Quarter of Section 7, Township 75 North, Range 27 West of the 5th P.M.; Thence North 00°00'00" West 491.86 feet along the East line of said Northwest Quarter of the Southeast Quarter, which is also the West line of A and B Hillside Estates Subdivision, to the Southwest Corner of Lot 4 of said Subdivision; thence North 90°00'00" West 55.17 feet to the West line of a parcel of land in said Northwest Quarter of the Southeast Quarter; thence South 16°06'00" East 103.05 feet along said West line; thence South 00°19'00" East 392.59 feet to a Point on the South line of said Northwest Quarter of the Southeast Quarter; thence South 89°28'00" East 28.76 feet to the Point of Beginning containing 0.342 acres.



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Iowa.

J.M. Hochstetler
 J.M. HOCHSTETLER
 License number 6808 Date 1/24/02
 My license renewal date is December 31, 2003
 Pages or sheets covered by this seal: 1