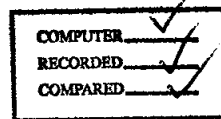


REC \$ 15⁰⁰
AUD \$
R.M.F. \$ 1⁰⁰

FILED NO. 005026

BOOK 2002 PAGE 5026

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MICKI UTSLER
RECORDER
MADISON COUNTY, IOWA

Prepared by: Lee R. Johnson 214 W Walnut Ogden, IA 50212 515-275-4018

EASEMENT

WHEREAS, Preston Wilmes and Rheba K. Wilmes, hereinafter referred to as "Wilmes" are the owners of the following described real estate, to-wit:

Parcel "A", located in the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of Section Twenty-three (23), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th Madison County, Iowa, containing 7.317 acres, as shown in Plat of Survey filed in Book 2001, Page 4794 on October 24, 2001 at 1:26 P.M. in the Office of the Recorder of Madison County, Iowa, and

WHEREAS, Gregory Minnich and Rhonda L. Minnich, hereinafter referred to as "Minnich" are the owners of the following described real estate, to-wit:

A parcel of land in the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of Section Twenty-three (23), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southeast Corner of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of Section Twenty-three (23), in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, thence South 85°15'39" West 1,297.28 feet to the Southwest Corner of said Northeast Quarter (1/4) of the Southwest Quarter (1/4) of Section Twenty-three (23), thence North 00°19'42" West 515.97 feet along the west line of said Northeast Quarter (1/4) of the Southwest Quarter (1/4) thence North 89°56'00" East 1,295.80 feet along the south line of St. Charles Cemetery to the east line of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence South 00°00'00" 410.29 feet to the point of beginning, said parcel contains 13.76 Acres including 0.36 Acres of County Road Right of Way and subject to easements of record, **EXCEPTING THEREFROM** a parcel located in the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Twenty-three (23) described as follows: Commencing at the Southeast Corner of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) of said Section Twenty-three, thence South 85°15'39" West 654.39 feet along the South line of said Northeast Quarter (1/4) of the Southwest Quarter (1/4) to the Point of Beginning; thence continuing South 85°15'39" West 642.84 feet to the Southwest Corner of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 00°19'42" West 515.97 feet along the West line of said Northeast Quarter (1/4) of the Southwest Quarter (1/4), thence North 89°56'00" East 661.62 feet along the South line of St. Charles Cemetery; thence South 02°13'32" West 463.97 feet to the Point of Beginning, said

✓ Preston Wilmes
Box 64
St. Charles

excepted parcel containing 7.317 Acres. NOTE: The east line of the Northeast Quarter (1/4) of the Southwest Quarter (1/4) is assumed to bear due North and South for purposes of this description, and

WHEREAS, access to the real estate owned by Wilmes is obtained along a private access road which runs from the public highway South of the real estate owned by Minnich, thence North along the West side of the Minnich property, and

WHEREAS, the parties are in agreement that a written easement should be entered into which sets forth the rights and duties of the parties in connection with said private access road.

NOW, THEREFORE in consideration of the sum of One dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, it is hereby agreed as follows:

1. Wilmes shall have the right of ingress and egress across the real estate owned by Minnich on the private access road as shown on the plat recorded in Book 2001, Page 4794 of the records of the Madison County Recorder.

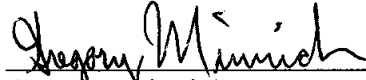
2. Wilmes shall be responsible for all maintenance and repair in connection with that portion of said private access road which extends from the public highway to the North line of the real estate owned by Wilmes.

3. This Easement shall inure to the benefit of and be binding upon the heirs, successors and assigns of the parties hereto.

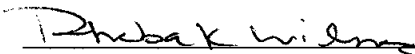
Dated this 10th day of October, 2002.



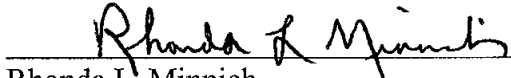
Preston Wilmes



Gregory Minnich



Rheba K. Wilmes



Rhonda L. Minnich

STATE OF IOWA, COUNTY OF Warren, ss:

On this 11 day of October, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Preston Wilmes and Rheba K. Wilmes, 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.



Cora M. Lahr
Notary Public

× STATE OF IOWA, COUNTY OF Madison, ss:

On this 10th day of October, 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared Gregory Minnich and Rhonda L. Minnich, 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.



Steven D. Warrington
Notary Public