

REC \$ 10⁰⁰
AUD \$
R.M.F. \$ 5⁰⁰

FILED NO. 4087
BOOK 2003 PAGE 4087

2003 JUL 11 PM 3:49

COMPUTER	✓
RECORDED	✓
COMPARED	✓

MICKI UTSLER
RECORDER
HAMILTON COUNTY, IOWA

Preparer

Information: ✓ Jerrold B. Oliver P.O. Box 230 Winterset (515)462-3731

EASEMENT AGREEMENT

This Easement Agreement is made and entered into by and between Kathi Ann Kuhl and Gary Orlin Marlin.

WHEREAS, the parties desire to provide for the joint use of a 20 foot access easement whose centerline is described as follows:

Commencing at the Northwest Corner of said W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$; thence N 89°55'22" E a distance of 211.72' to a track spike at the Point of Beginning; thence S 00°05'02" E a distance of 628.15' to an iron pin at the Point of Termination

WHEREAS, Gary Orlin Marlin owns the West Half ($\frac{1}{2}$) of the easement area, and Kathi Ann Kuhl owns the East Half ($\frac{1}{2}$) of said easement area.

NOW THEREFORE IT IS AGREED AS FOLLOWS:

1. The parties agree that each of them shall have a perpetual right and easement over and across the above described easement area, together with the right of ingress and egress for the purpose of constructing, repairing, and maintaining a driveway upon said easement area.

2. Kathi Ann Kuhl and Gary Orlin Marlin warrant and covenant that they are the owners of the real estate upon which said easement area is situated, that said real estate is free and clear of all liens and encumbrances; and that they have full right and authority to validly grant this easement, and that each of them may quietly enjoy their estate in the premises.

3. Kathi Ann Kuhl and Gary Orlin Marlin covenant that no act will be permitted within the easement area which is inconsistent with the rights hereby granted; and no buildings or structures will be erected upon said easement area, and that the present grade and ground level thereof will not be changed by excavation or filling. This easement shall run with the land and bind and inure to the benefit of the heirs, successors and assigns of the parties.

4. Each of the parties shall be responsible for one-half of the construction, maintenance, and repair of the easement area.

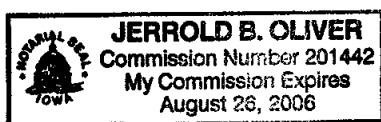
Dated this 10 day of July, 2003.

Kathi Ann Kuhl
Kathi Ann Kuhl

Gary Orlin Marlin
Gary Orlin Marlin

STATE OF IOWA, MADISON COUNTY, ss:

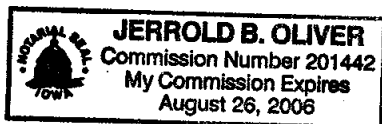
On this 10 day of July, 2003, before me, the undersigned, a Notary Public in and for the said State, personally appeared, Kathi Ann Kuhl, to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that she executed the same as her voluntary act and deed.



Jerrold B. Oliver
Notary Public in and for the State of Iowa

STATE OF IOWA, MADISON COUNTY, ss:

On this 10 day of July, 2003, before me, the undersigned, a Notary Public in and for the said State, personally appeared, Gary Orlin Marlin, 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.



Jerrold B. Oliver
Notary Public in and for the State of Iowa