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 98 OCT 30 AM 10:09
 MICHELLE UTSLER
 RECORDER
 MADISON COUNTY, IOWA

Prepared by: David S. Bruner, 225 E. 7th Street, Carroll, Iowa 51401 (712) 792-3480

EASEMENT

Re: The West 22½ feet of the East 43 feet of Lot 4 in Block 24 of the Original Town of Winterset, Madison County, Iowa,
 AND
 The East 20½ feet of Lot 4 in Block 24 of the Original Town of Winterset, Madison County, Iowa.

This Easement is made between William M. Bortell and Cynthia J. Bortell, husband and wife, (Bortell) and Steven R. Weeks and Patricia J. Weeks, husband and wife (Weeks).

RECITALS

1. The parties are adjoining land owners. Bortell is the legal titleholder of the West 22½ feet of the East 43 feet of Lot 4 in Block 24 of the Original Town of Winterset, Madison County, Iowa, and Weeks is the legal titleholder of the East 20½ feet of Lot 4 in Block 24 of the Original Town of Winterset, Madison County, Iowa.

2. Water lines enter the building located on West 22½ feet of the East 43 feet of Lot 4 in Block 24 of the Original Town of Winterset, Madison County, Iowa, and then enter through the wall into the building located on the East 20½ feet of Lot 4 in Block 24 of the Original Town of Winterset, Madison County, Iowa.

3. That Bortells' air conditioning unit is situated on Weeks' real estate.

4. The above-stated parties desire to bind themselves, their heirs, transferees, assigns and successors to an agreement for an Easement over the West 22½ feet of the East 43 feet of Lot 4 in Block 24 of the Original Town of Winterset, Madison County, Iowa, for purposes of receiving water and for care and maintenance of said water line and for an easement over the East 20½ feet of Lot 4 in Block 24 of the Original Town of Winterset, Madison County, Iowa, for purposes of access to air conditioning unit and for its care and maintenance, and for access to upper level and roof of Bortell building, so that the parties and future owners will have a clear understanding of their respective authority and duties, all to the end that good relations between the owners of the above-stated properties may be maintained.

AGREEMENT

In consideration of the mutual covenants set forth herein and of the mutual benefits to be derived hereunder, the parties agree as follows:

1. Bortell hereby gives, grants and conveys to Weeks an easement over and across the West 22½ feet of the East 43 feet of Lot 4 in Block 24 of the Original Town of Winterset, Madison County, Iowa, for purpose of assuring the Weeks' real estate, East 20½ feet of Lot 4 in Block 24 of the Original Town of Winterset, Madison County, Iowa, has access to water and water lines.


2. Weeks shall be responsible for 100% of the care and maintenance costs of the water line located on the West 22½ feet of the East 43 feet of Lot 4 in Block 24 of the Original Town of Winterset, Madison County, Iowa.

3. Weeks hereby gives, grants and conveys to Bortell an easement over and across the East 20½ feet of Lot 4 in Block 24 of the Original Town of Winterset, Madison County, Iowa, for purpose of assuring Bortell that they have access to their air conditioning unit for replacement, repair and maintenance thereof, and for purposes of access for Bortell to upper level and roof of Bortell's building located on West 22.5 feet of East 43 feet of Lot 4 in Block 24 of the Original Town of Winterset, Madison County, Iowa.

4. Bortell shall be responsible for 100% of replacement, care and maintenance costs associated with the air conditioning unit located on the East 20½ feet of Lot 4 in Block 24 of the Original Town of Winterset, Madison County, Iowa.

5. This Agreement shall run with the land and shall be binding upon the parties and their heirs, transferees, assigns and successors.

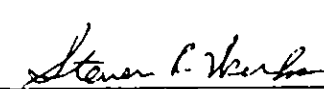
The undersigned have caused this agreement to be duly executed on this ____ day of June, 1998.



Patricia J. Weeks



Cynthia J. Bortell



Steven R. Weeks

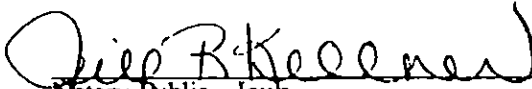


William M. Bortell

STATE OF IOWA, COUNTY OF GUTHRIE, ss:

On this 30 day of Oct. 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared William M. Bortell and Cynthia J. Bortell, 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.





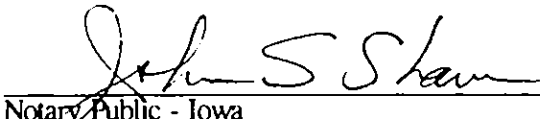
Notary Public - Iowa

STATE OF IOWA, COUNTY OF MADISON, ss:

On this 29 day of Oct. 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Steven R. Weeks and Patricia J. Weeks, 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.



z/100/bortell.eas



Notary Public - Iowa