

REC \$ 15.00
AUD \$ _____
R.F.F. \$ 1.00

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BOOK 141 PAGE 467

DRIVEWAY ACCESS

99 MAY 20 PM 2: 20

STATE OF IOWA)
) ss:
COUNTY OF MADISON)

COMPUTER
RECORDED
EXAMINED

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

THIS AGREEMENT is hereby made and executed this 18 day of May, 1999, by and between EDWARD T. JOHNSON, a single person, hereinafter referred to as "GRANTOR," and LYLE DUDNEY AND HELEN L. DUDNEY, Husband and Wife, hereinafter referred to as "GRANTEES."

WITNESSETH:

WHEREAS, the Grantees are the owners of the property described on Exhibit B attached hereto.

WHEREAS, the Grantor is the owner of the following-described property which is adjacent to Grantees' property described above, attached as Exhibit A hereto

WHEREAS, the Grantee has requested an easement over a portion of the Grantors' property consisting of a driveway in order to provide access to Grantees' property, and the Grantor has agreed to grant the same to Grantees according to the terms and conditions set forth below.

IT IS HEREBY AGREED by and between the parties for good and valuable consideration as follows:

1. The Grantees presently utilize a gravel driveway which runs through the approximate center of the Grantor's property for approximately half the length of the Grantor's property, beginning on the western border of the Grantor's property. The driveway runs east for approximately half the length of the property, turns south until it reaches the southern border of Grantor's property where it runs east from that point to the southeast corner of the Grantor's property. The driveway is approximately 16 feet in width.
2. That the above-described easement area shall be used for driveway purposes and for ingress and egress from Grantee's property on Millstream Avenue.
3. That Driveway Easement shall constitute a benefit to the Grantee's property and a burden upon the Grantor's property and the same shall constitute a covenant running with the land and shall be binding upon the parties, heirs, assigns and successors in interest.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date, year and month appearing above.

Edward T. Johnson
EDWARD T. JOHNSON

Subscribed and sworn to before me this 18 day of May, 1999.



Toni Marie Tindle
Notary Public in and for the State of Iowa

Lyle Dudney
LYLE DUDNEY

Helen L. Dudney
HELEN L. DUDNEY

Subscribed and sworn to before me this 18 day of May, 1999.



Toni Marie Tindle
Notary Public in and for the State of Iowa

PARCEL "A", LOCATED IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 74 NORTH, RANGE 27 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 74 NORTH, RANGE 27 WEST OF THE 5TH P.M., MADISON COUNTY, IOWA; THENCE SOUTH 89 DEGREES 36 MINUTES 57 SECONDS EAST, 479.00 FEET ALONG AN EXISTING FENCELINE WHICH IS THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 20; THENCE SOUTH 0 DEGREES 00 MINUTES 00 SECONDS WEST, 455.00 FEET; THENCE NORTH 89 DEGREES 36 MINUTES 57 SECONDS WEST, 479.00 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 20; THENCE NORTH 0 DEGREES 00 MINUTES 00 SECONDS EAST, 455.00 FEET ALONG THE WEST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 20 TO THE POINT OF BEGINNING.



EXHIBIT "A"

The Southwest Quarter (1/4) of the Southeast Quarter (1/4) and the Southeast Quarter (1/4) of the Southwest Quarter (1/4) and the North 30 acres of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Twenty (20), and the West Half (1/2) of the Northwest Quarter (1/4) of the Northeast Quarter (1/4) of Section Twenty-nine (29), all in Township Seventy-four (74) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; EXCEPT, Parcel "A" located in the Southwest Quarter of the Southwest Quarter of Section 20, Township 74 North, Range 27 West of the 5th P.M., Madison County, Iowa; more particularly described as follows:

Beginning at the Northwest corner of the Southwest Quarter of the Southwest Quarter of Section 20, Township 74 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence South 89°36'57" East, 479.00 feet along an existing fence line which is the North line of the Southwest Quarter of the Southwest Quarter of said Section 20; thence South 0°00'00" West, 435.00 feet; thence North 89°36'57" West, 479.00 feet to a point on the West line of the Southwest Quarter of the Southwest Quarter of said Section 20; thence North 0°00'00" East, 435.00 feet along the West line of the Southwest Quarter of the Southwest Quarter of said Section 20 to the Point of Beginning. Said Parcel contains 5.003 acres, including 0.446 acres of County Road right-of-way.



EXHIBIT B