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EASEMENT

REC 2/1/96

AUG 11 1996

R.M.F. 3/1/96

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

THIS AGREEMENT is made by and among RONALD RUSTAN, single, (Rustan), GILBERT H. DAWES and INEZ E. DAWES, husband and wife, (Dawes), JAY WILDIN and MARY WILDIN, husband and wife (Wildins).

WHEREAS RUSTAN is the owner of the following described real estate to wit:

TRACT ONE

Parcel "A" located in the Southeast Quarter of the Northeast Quarter of Section 14, in the Northeast Quarter of the Southeast Quarter of Section 14, in the Southwest Quarter of the Northwest Quarter of Section 13 and in the Northwest Quarter of the Southwest quarter of Section 13, all in Township 75 North, Range 27 West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows:

Commencing at the Southwest corner of the SE. 1/4 of the NE 1/4 of Section 14, T75N, R27W of the 5th P.M., Madison County, Iowa; thence, along the West line of said SE. 1/4 of the NE 1/4, North 0°00'00" East 269.67 feet to the Point of Beginning; thence, continuing along said West line, North 0°00'00" East 64.25 feet; thence North 89°20'46" East 1554.89 feet; thence South 4°07'54" West 248.60 feet; thence South 8°26'12" East 92.29 feet; thence South 43°57'34" West 51.40 feet; thence South 3°11'22" West 298.85 feet; thence South 90°00'00" West 300.44 feet; thence North 28°09'17" West 118.23 feet; thence North 14°06'23" West 179.46 feet; thence North 43°40'57" West 425.90 feet; thence North 89°32'49" West 804.01 feet to the Point of Beginning. Said Parcel "A" contains 9.281 acres, including 0.049 acres of county road right of way.

WHEREAS Dawes are the owners of the following described real estate:

Tract Two

Parcel "B" located in the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) and in the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of Section 14, Township 75 North, Range 27 West of the 5th Principal Meridian, Madison County, Iowa, more particularly described as follows: Beginning at the Southwest Corner of the Southeast Quarter (S.E. 1/4) of the Northeast (N.E. 1/4) of Section 14, T75N, R27W of the 5th P.M., Madison County, Iowa; thence, along the West line of said Southeast Quarter (S.E. 1/4) of the Northeast Quarter (N.E. 1/4), North 00°00'00", East 269.67 feet; thence South 89°32'49" East 373.75 feet; thence South 00°06'27", West 426.95 feet; thence South 35°44'02", East 1372.60 feet to the South line of the Northeast Quarter (N.E. 1/4) of the

Southeast Quarter (SE. 1/4) of said Section 14; thence, along said South line, South 88°26'00" West 484.65 feet to the centerline of a county road; thence along said center-line, North 07°00'00" West 203.66 feet; thence continuing along said center-line North 33°47'50" West 376.20 feet; thence North 55°28'00" West 348.45 feet; thence North 40°46'00" West 162.85 feet; thence North 17°13'00" West 173.40 feet; thence North 03°59'00" West 162.60 feet to the West line of said NE 1/4 of the SE. 1/4; thence, along said West line, North 00°00'00" East 124.21 feet to the Point of Beginning. Said Parcel "B" contains 14.672 acres, including 1.379 acres of a county road right of way.

In exchange for the mutual covenants contained herein the parties agree as follows:

1. A perpetual driveway easement is hereby granted to Dawes and Wildins and their assigns, for access purposes, over and across the portion of the Rustan's private driveway within Tract 1, a gravel road, located within a strip of land 64.25 feet in width North and South and 804.01 feet in length West to East, adjacent to Tract 2, and more particularly described as follows:

Commencing at the Southwest corner of the Southeast Quarter of the Northeast Quarter of Section Fourteen, Township 75N, Range 27 West of the 5th P.M., Madison County, Iowa, thence along the West line of said Southeast Quarter of the Northeast Quarter, North 0°00'00" East 269.67 feet to the point of beginning, thence South 89°32'49" East 804.01, feet thence North to the North line of Tract 1, thence West along the North line of Tract 1 to the West line of Tract 1, thence South 64.25 feet to the Point of Beginning.

2. A perpetual easement is hereby granted to Wildins, and their assigns, for the purpose of the operation, maintenance, repair and reconstruction of any possible draining and tiling that is necessary, due to erosion, underneath and through the Grantor's private driveway and to the stream flowing behind the Rustin's home located on Tract 1. The Wildins or their assigns shall be responsible for all maintenance expenses associated with any draining or tiling and shall have the right of egress or ingress over and across Tract One for the purpose of the construction, operation, maintenance, repair and reconstruction of any possible draining and tiling that is necessary, due to erosion, underneath and through said real estate of Rustan.

3. A perpetual easement is hereby granted to Wildins and their assigns for right of way purposes and access for ingress and egress over and through the adjacent Southwestern portion of Tract 1, along the existing entrance in use, the South and West line of which is more particularly described as follows:

Commencing at the Southeast corner of the Easement area described in Paragraph 1 above thence South 43°40'57" East. 425.90 feet, thence South 14°6'23" East 179.46 feet, thence South 28°9'17" East 118.23 feet to the

point of termination,

IN WITNESS WHEREOF, the undersigned parties have executed this Agreement on this 2 Day of 10, 1996.

Ronald L Rustan
RONALD RUSTAN

Gilbert H. Dawes
GILBERT H. DAWES

Inez E. Dawes
INEZ E. DAWES

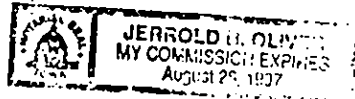
Jay Wildin
JAY WILDIN

Mary Wildin
MARY WILDIN

STATE OF IOWA
MADISON COUNTY

SS

On this 2 day of Oct, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared, Ronald Rustan, Gilbert H. Dawes and Inez E. Dawes to me known to be the person or persons who executed the above foregoing instrument, and acknowledged to me that they executed the same as their voluntary act and deed.



Jerrold H. Oliver
Notary Public in and for said State

STATE OF IOWA :
: SS
MADISON COUNTY :

On this 2 day of Oct, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared, Jay Wildin and Mary Wildin to me known to be the person or persons who executed the above foregoing instrument, and acknowledged to me that they executed the same as their voluntary act and deed.

Jerrold H. Oliver
Notary Public in and for said State

