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BOOK 133 PAGE 597
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BASEMENT AND FENCE AGREEMENT

MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

PAUL M. HAVICK and DIANE E. HAVICK, Husband and Wife, hereinafter called "Grantors", in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, do hereby grant to JOHN P. MILLER and BETTY MILLER, hereinafter called "Grantees", and to their successors or assigns, owners of the following-described real estate:

Parcel "C" located in the South Half (S½) of the Northeast Quarter (NE¼) of Section Seven (7), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the Northwest Corner of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section Seven (7), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa; thence North 89°55'26" East 330.00 feet to the Northeast corner of Parcel "A" of the South Half (S½) of the Northeast Quarter (NE¼); thence South 00°07'41" West 660.00 feet to the Point of Beginning; thence South 00°07'41" West 644.68 feet to the South line of said South Half (S½) of the Northeast Quarter (NE¼); thence, along said South line, North 89°56'28" West 660.00 feet; thence North 00°07'41" East 643.12 feet to the Southwest corner of said Parcel "A"; thence North 89°55'26" East 660.00 feet to the Point of Beginning. Said Parcel "C" contains 9.756 acres, including 0.155 acres of county road right-of-way,

the perpetual right and easement over, under and across the following-described real estate in Madison County, Iowa, to-wit:

A well and waterline easement in the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section Seven (7), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Beginning at the Southwest corner of Parcel "B" of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section Seven (7), Township Seventy-six (76) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, thence, along the South line of said Parcel "B", South 89°59'54" East 100.00 feet; thence South 00°07'41" West 100.00 feet; thence North 89°59'54" West 100.00 feet; thence North 00°07'41" East 100.00 feet to the point of beginning,

together with the right of ingress and egress over and across said easement area for the purpose of operating, repairing and maintaining a well and water line upon, under and across said easement area.

The Grantors warrant and covenant to the Grantees that they are the owners of the real estate upon which said easement area is situated, and that they have full right and authority to validly grant this easement, and the Grantees may quietly enjoy their estate in the premises.

Grantors 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 or 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.

Grantees shall be solely responsible for the maintenance of the easement area and all repairs and maintenance of the well, water line and all equipment used in connection with such well and water line.

Grantees shall be responsible for the repair and maintenance of the fence located on the east property line of Parcel "C" described above and the repair and maintenance of the fence located on the south and east property lines of the easement area.

Dated: November 18, 1994.

GRANTEES:

John P. Miller
John P. Miller

Betty Miller
Betty Miller

GRANTORS:

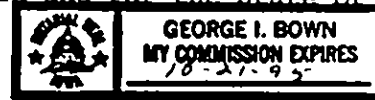
Paul M. Havick
Paul M. Havick

Diane E. Havick
Diane E. Havick

STATE OF IOWA :
:SS
MADISON COUNTY:

On this 18th day of November, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Paul M. Havick and Diane E. Havick, to me personally 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.

George J. Bown
Notary Public in and for the State of Iowa



STATE OF IOWA :
:SS
MADISON COUNTY:

On this 18th day of November, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared John P. Miller and Betty Miller, to me personally 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.

George J. Bown
Notary Public in and for the State of Iowa

