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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

EASEMENT FOR ACCESS

Recorder's Cover Sheet

Preparer Information: (name, address and phone number)

Jane E. Rosien, 223 E. Court Avenue, P.O. Box 67, Winterset, Iowa 50273-0067
(515)-462-4912

Taxpayer Information: (name and complete address)

Billy J. and Kimberly L. Tucker, 1780 Meadow Valley Court, Winterset, Iowa 50273

Return Document To: (name and complete address)

Jane E. Rosien, 223 E. Court Avenue, P.O. Box 67, Winterset, Iowa 50273-0067
(515)-462-4912

Grantors:

Lonna J. Nielsen
Daniel J. Nielsen

Grantees:

Billy J. Tucker
Kimberly L. Tucker

Legal Description: See page 2.

Document or instrument number of previously recorded documents: N/A

EASEMENT FOR ACCESS

KNOW ALL PEOPLE BY THESE PRESENCE:

The undersigned owner, Lonna J. Nielsen, and her husband, Daniel J. Nielsen, hereafter called the Grantor, in consideration of the sum of one dollar and other valuable considerations, receipt of which is acknowledged, does hereby grant to Billy J. Tucker and Kimberly J. Tucker, husband and wife, their successors and assigns, hereafter called the Grantee, the perpetual right and easement to enter upon, over and along the following described property situated in Madison County, Iowa, to-wit:

The east thirty (30) feet and the north thirty (30) feet of the real estate described as:

Parcel "D" situated in the Northeast Quarter of the Southeast Quarter and the Northwest Quarter of the Southeast Quarter of Section 13, Township 76, Range 29 West of the 5 P.M., Madison County, Iowa as shown in the Plat of Survey filed December 15, 2004, in Book 2004, Page 5935, in the Office of the Recorder of Madison County, Iowa (hereinafter referred to as the "subservient estate")

for use of this real estate as an ingress and egress, private (non-public) right-of-way to the Grantee's real estate described as:

Parcel "H" in the Southeast Quarter of the Northwest Quarter and the South Half of the Northeast Quarter all in Section 13, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa as shown in the Plat of Survey filed November 24, 2009, in Book 2009 at Page 3562, in the Office of the Recorder of Madison County, Iowa (hereinafter referred to as the "dominant estate").

The right of ingress and egress is specifically limited to pedestrian and non-motorized vehicle traffic.

The Grantor warrants and covenants to the Grantee that, subject to liens and encumbrances of record at the date of this easement, they are the owner of the above described land; have full right and authority to validly grant this easement; and, the Grantee may quietly enjoy their estate in the premises.

In consideration of such grant, Grantee agrees the Grantor reserves the right to use the easement area;

the Grantee agrees not to fence-in the easement area; and, the Grantee agrees not to change or otherwise disturb or alter the easement area in any way. The Grantee further agrees that no party or person utilizing the easement area shall at any time cause any damage or destruction to the easement area or crops growing thereon. The Grantee shall be liable for any damage or destruction to the easement area and/or crops growing thereon resulting from the use of the same and the Grantee shall hold the Grantor harmless and shall indemnify them.


The Grantor and Grantee covenant that no act will be permitted within the easement property which is inconsistent with the rights hereby granted; that no buildings or structures or other improvements, except partition fencing and culvert-type structures, will be erected upon or along the easement property; and, that the present grade or ground level thereof will not be changed by excavation or filling.

This Agreement shall run with the land and bind and inure to the benefit of the heirs, successors and assigns of the parties.

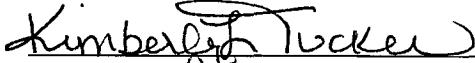
Dated this 10th day of December, 2009.

Grantor:


Grantee:




Lonna J. Nielsen



Kimberly J. Tucker



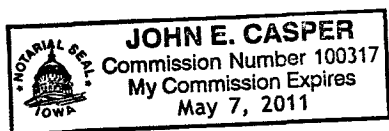
Daniel J. Nielsen

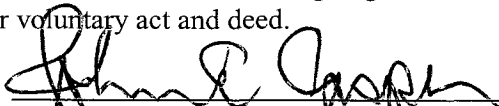


Billy J. Tucker

STATE OF IOWA :
:SS
MADISON COUNTY:

On this 10th day of December, 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared Lonna J. Nielsen, Daniel J. Nielsen, Kimberly J. Tucker and Billy J. Tucker to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged to me that they executed the same as their voluntary act and deed.





Notary Public in and for the State of Iowa