Fee $10.00

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1985 JUL 24 PM 3:00

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

EASEMENT AGREEMENT

This agreement made and entered into this _____ day of _____ 1985, by and between Robert Tirella and Martin Griffith, both single, as grantors, and Richard Mutchler and Martha Mutchler, their heirs, administrators, executors, agents and assigns, as grantees; witnesseth:

Compared

Whereas, grantors own the real estate legally described as:

> West 986.15 feet of Lot 3 of Robin Woods Subdivision Plat, an official Plat of the East One-half (E 1/2) of the Southwest Quarter (SW 1/4) Northwest Quarter (NW 1/4) and the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) Northwest Quarter (NW 1/4) of Section 24, Township 75 North, Range 27 West of the 5th P.M.,

and;

Whereas, the grantees desire to construct a dam and pond on the premises hereinafter described which lies immediately North of the premises owned by the grantors, which construction will cause water to back up and be stored on the land owned by grantors.

Now, therefore, for and in consideration of one dollar and other valuable consideration Robert Tirella and Martin Griffith do hereby grant, convey, assign and set over to Richard Mutchler and Martha Mutchler, as joint tenants with full rights of survivorship and not as tenants in common, the right to overflow, flood and/or cover with any flood, slack or back water which may result from the construction of a pond and dam on a tract of land described as:

> Lot 2 of Robin Woods Subdivision Plat, an official Plat of the East One-Half (E 1/2) of the Southwest Quarter (SW 1/4) Northwest Quarter (NW 1/4) and the Southwest Quarter of the Southeast Quarter (SE 1/4) Northwest Quarter (NW 1/4) of Section 24, Township 75 North, Range 27 West of the 5th P.M.,

together with the rights of ingress and egress to said land for the purposes of maintaining and protecting the pond and dam to be constructed.

The easement and rights herein granted shall be perpetual and shall be construed as a covenant running with the land.

Robert Tirella

Robert Tirella

Martin Griffith

Martin Griffith

STATE OF IOWA)
)ss
MADISON COUNTY)

On this 22nd day of July, 1985, before me the undersigned, a Notary Public in and for said County in said State personally appeared Robert Tirella, to me known to be the identical person named in the above and foregoing easement, and who executed the foregoing and acknowledged that he executed the same as his voluntary act and deed.

C. Kent Strawn

NOTARY PUBLIC

STATE OF IOWA)
) ss
MADISON COUNTY)

On this 22nd day of July, 1985, before me the undersigned, a Notary Public in and for said County in said State personally appeared Martin Griffith, to me known to be the identical person named in the above and foregoing easement, and who executed the foregoing and acknowledged that he executed the same as his voluntary act and deed.

C. Kent Strain
NOTARY PUBLIC