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MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Fee $ 6.00
Paid

POND EASEMENT AND AGREEMENT

WHEREAS Clarence Vierling owns the real estate legally described as:

> Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) Section Fifteen (15), Township Seventy-five (75) North, Range Twenty-seven (27), West of the 5th P.M., Madison County, Iowa,

and,

WHEREAS Jack Wenger owns the real estate legally described as:

> Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) Section Fourteen (14), Township Seventy-five (75) North, Range Twenty-seven (27), West of the 5th P.M., Madison County, Iowa,

and,

WHEREAS Clarence Vierling has constructed a pond or other water containment facility, and,

WHEREAS, a part of the dam for such pond or water containment facility is upon a portion of the real estate owned by Jack Wenger.

NOW, THEREFORE, IT IS AGREED by and between the parties hereto as follows:

Jack Wenger does hereby grant Clarence Vierling, his assigns and successors in interest the permission, right, authority, license and easement to utilize such portion of the real estate legally described as:

> Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) Section Fourteen (14), Township Seventy-five (75) North, Range Twenty-seven (27), West of the 5th P.M., Madison County, Iowa,

as necessary for a dam for a pond which Clarence Vierling has constructed, the mid line of which is approximately 100 feet South of the Northeast corner of the NE¼ of the SE¼ of Section 15, Township 75 North, Range 27, West of the 5th P.M.

This easement, right, privilege and license shall be construed as a covenant running with the real estate described as:

> Northeast Quarter (NE¼) of the Southeast Quarter (SE¼)

Section Fifteen (15), Township Seventy-five (75) North, Range Twenty-seven (27), West of the 5th P.M., Madison County, Iowa

Clarence Vierling

Jack Wenger

STATE OF IOWA )
) ss
Madison County )

On this 22nd day of October, 1980, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Clarence Vierling and Jack Wenger to me know 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.

E.C. VIERLING IOWA NOTARIAL SEAL

E C Vierling
NOTARY PUBLIC.