



Document 2014 3108

BK: 2014 PG: 3108 Type 06 001 Pages 5

Recorded: 12/10/2014 at 3:21:01.0 PM

Fee Amount: \$27.00

Revenue Tax:

LISA SMITH RECORDER

Madison County, Iowa

INDX ✓

ANNO

SCAN

CHEK

EASEMENT FOR WELL ACCESS

Recorder's Cover Sheet

Preparer Information: (name, address and phone number)

Adam Doll, 1009 Main Street, Adel, IA 50003, Phone: (515) 993-4545

Taxpayer Information: (name and complete address)

Marlin J. Brittain Non Revocable Income Only Trust, 1142 Kiowa Avenue, Earlham, IA 50072

Return Document To: (name and complete address)

Adam Doll, 1009 Main Street, Adel, IA 50003, Phone: (515) 993-4545

Grantors:

William A. Ory and Judith A. Ory

Grantees:

Charles J. Brittain, Donald R. Brittain and Marla K. Cory, Co-Trustees of the
Marlin J. Brittain Non-Revocable Income Only Trust

Legal Description: See Page 2

Document or instrument number of previously recorded documents:

EASEMENT FOR WELL ACCESS

RE: The Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) except Parcel "A" thereof in Section 11, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa
AND

Parcel "A" in the Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) and in the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) all in Section 11, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa

Now on this 10th day of December, 2014, Charles J. Brittain, Donald R. Brittain and Marla K. Cory, Co-Trustees of the Marlin J. Brittain Non-Revocable Income Only Trust ("Grantees") and William Ory and Judith Ory ("Grantors") have agreed, for One dollar (\$1.00) and other valuable consideration, for Grantees to have access to Grantors' property for the sole purpose of utilizing a well on Grantors' property.

WHEREAS, Grantors own real estate legally described as: The Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) except Parcel "A" thereof in Section 11, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa;

WHEREAS, Grantees own real estate legally described as: Parcel "A" in the Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) and in the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) all in Section 11, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa;

Whereas, a well sits upon Grantors' property just southeast of a machine shed located upon Grantees' real estate;

Whereas, Grantees desire ingress and egress to said water well and ability to use said well;

The parties have reduced their agreement to writing and state as follows:

1. Grantors own real estate legally described as The Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) except Parcel "A" thereof in Section 11, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa;

2. Grantees own real estate legally described as Parcel "A" in the Southwest Quarter of the Northwest Quarter (SW ¼ NW ¼) and in the Northwest Quarter of the Southwest Quarter (NW ¼ SW ¼) all in Section 11, Township 77 North, Range 28 West of the 5th P.M., Madison County, Iowa;

3. Grantors hereby grant to Grantees an ingress/egress easement over Grantors' real estate in a direct path from Grantees' real estate to said well for the purpose of utilizing the well on Grantors' property.

4. Grantors retain no responsibility nor cost for maintenance and upkeep of said well. Grantees may maintain the well as necessary at the sole cost of Grantees.

5. Grantors shall keep the ingress/egress path from the well to the Grantees' property

free of obstructions that would prevent Grantees from accessing said well.

6. Grantors and Grantees acknowledge and understand this easement shall run with the land and as such benefit and burden both the Grantors and Grantees assigns and/or successors in interest.

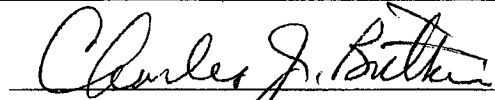
7. Attached hereto is an aerial map that shows the approximate location of said well by an "x" mark. The only portion of Grantors' property that shall be affected by this ingress/egress easement is a reasonable path from Grantees' property to this well for the purposes of ingress and egress to the well.

8. The agreement shall be construed under the laws of the State of Iowa.

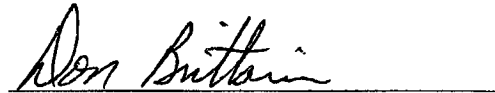
Dated: 12/10/14

GRANTEES

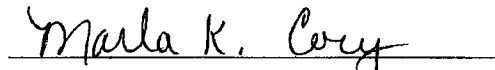
Marlin J. Brittain Non-Revocable Income Only



Charles J. Brittain, Co-Trustee

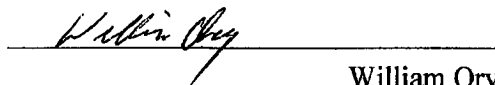


Donald R. Brittain, Co-Trustee

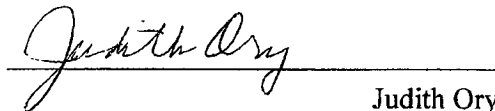


Marla K. Cory, Co-Trustee

GRANTORS



William Ory



Judith Ory

STATE OF IOWA, COUNTY OF Bremer

This record was acknowledged before me this this 6 day of December, 2014 by
Charles J. Brittain as Co-Trustee of the Marlin J. Brittain Non-Revocable Income Only Trust.

Ronik Wedeking
Signature of Notary Public



STATE OF IOWA, COUNTY OF Bremer

This record was acknowledged before me this this 6 day of December, 2014 by
Donald R. Brittain as Co-Trustee of the Marlin J. Brittain Non-Revocable Income Only Trust.

Ronik Wedeking
Signature of Notary Public



STATE OF IOWA, COUNTY OF Bremer

This record was acknowledged before me this this 6 day of December, 2014 by
Marla K. Cory as Co-Trustee of the Marlin J. Brittain Non-Revocable Income Only Trust.

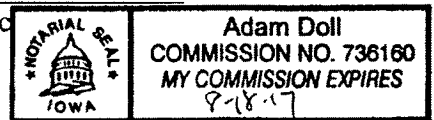
Ronik Wedeking
Signature of Notary Public



STATE OF IOWA, COUNTY OF ~~Bremer~~ Dallas

This record was acknowledged before me this this 10th day of December, 2014 by
William Ory.

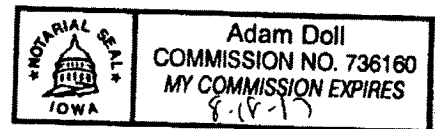
ADH
Signature of Notary Public

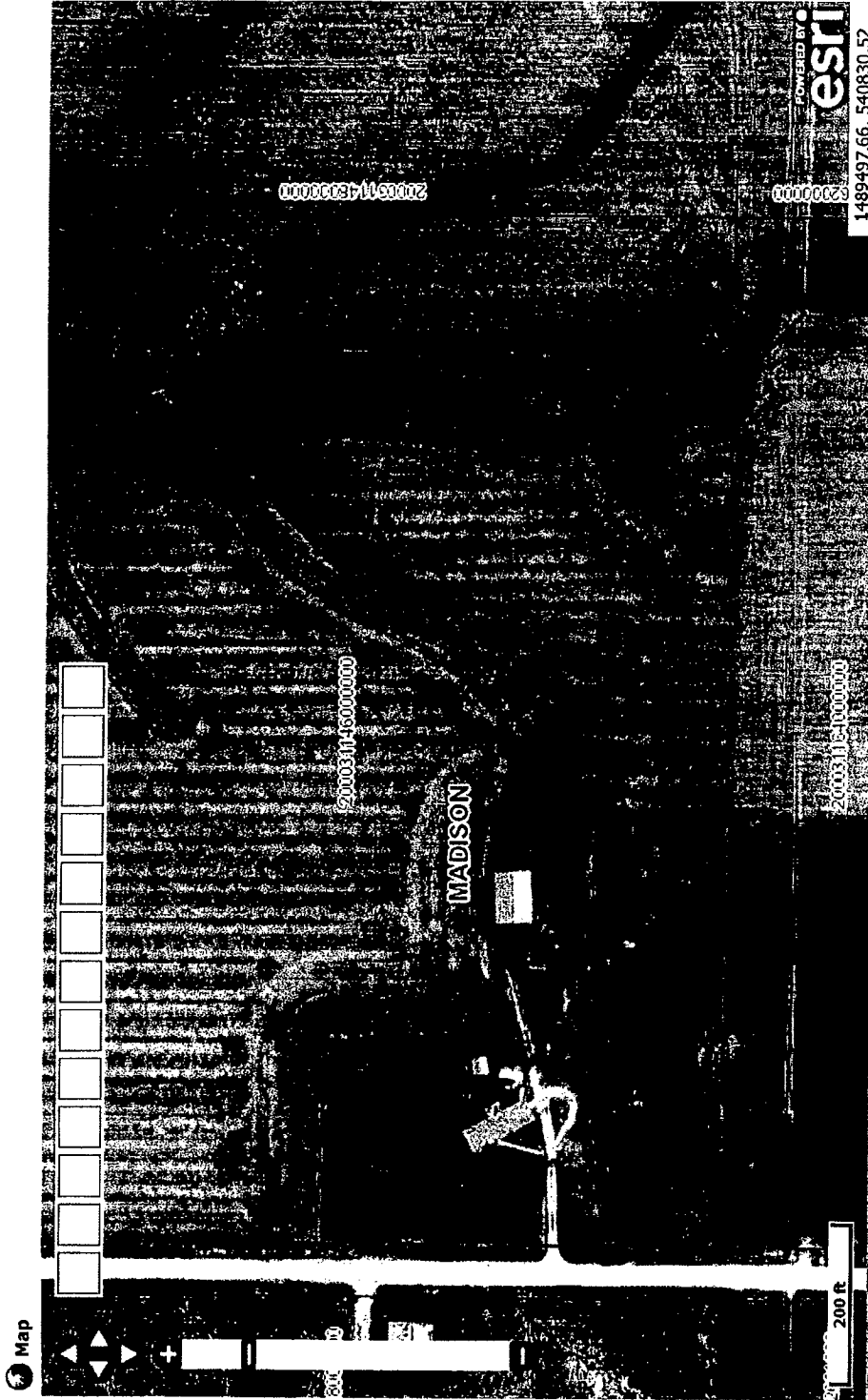


STATE OF IOWA, COUNTY OF Dallas

This record was acknowledged before me this this 10th day of December, 2014 by
Judith Ory.

ADH
Signature of Notary Public





Parcel ID 200031146000000 **Alternate ID n/a** **Owner Address** BRITTAIN, MARLIN J NONREVOCABLE INCOME ONLY TRST
Sec/Twp/Rng 11-77-28 **Class** A **1142 KIOWA AVE**
Property Address 1142 KIOWA AVE **Acres** 40.000 **EARLHAM, IA 50072**

District MADISON
Brief Tax Description SW NW
 (Note: Not to be used on legal documents)

Last Data Upload: 11/14/2014 12:19:53 AM