Cor.

FILED NO. 417
BOOK 47 PAGE 283

1976 SEP -1 AM 10:47

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Fee $4.50

A G R E E M E N T

THIS AGREEMENT made and entered into between Eugene Patterson and Ruby Mae Patterson, hereinafter referred to as First Parties, and James A. Kephart, hereinafter referred to as Second Party,

W I T N E S S E T H:

WHEREAS First Parties are the owners of the following-described real estate, to-wit:

Lot Six (6) in Block Three (3) of Railroad Addition to the City of Winterset, Iowa;

and

WHEREAS Second Party is the owner of the following-described real estate, to-wit:

Lot Seven (7) in Block Three (3) of Railroad Addition to the City of Winterset, Iowa;

and

WHEREAS the garage on Second Party's premises and the concrete driveway on Second Party's premises extends over approximately six inches (6") to one foot (1') onto First Parties' premises; and

WHEREAS the parties are desirous of establishing of record the rights of the parties hereto respecting said garage and driveway;

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

1. First Parties agree to permit Second Party's garage and driveway to continue to encroach on First Parties' premises as long as said garage and driveway exist.

2. Second Party agrees that at the time that said garage and driveway or either of them are rebuilt, the same will be rebuilt entirely on Second Party's premises.

3. This Agreement shall be construed as a covenant running with the respective premises.

Dated at Winterset, Iowa, on this 3rd day of August, 1976.

Eugene Patterson
Eugene Patterson

James A. Kephart
James A. Kephart — Second Party

Ruby Mae Patterson
Ruby Mae Patterson

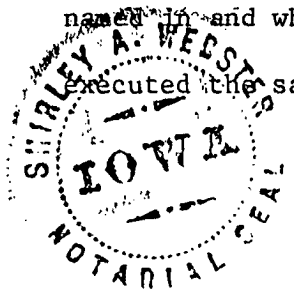
First Parties

IND. ✓
REC. ✓
PAGE ✓

e

STATE OF IOWA :
: ss
COUNTY OF MADISON :

On this 3rd day of August, 1976, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared James A. Kephart, Eugene Patterson and Ruby Mae Patterson, to me known to be the identical persons named in and who executed the foregoing Agreement and acknowledged that they executed the same as their voluntary act and deed.



Shirley A. Webster, Notary Public in and for the State of Iowa.