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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Return To: Samuel H. Braland, P.O. Box 370, Earlham, Iowa 50072
Prepared By: Samuel H. Braland, P. O. Box 370, Earlham, Iowa 50072 (515) 758-2267

**ACCESS EASEMENT
WATER WELL EASEMENT**

THIS EASEMENT AGREEMENT is made and entered into by and between Shirley J. Leeper as trustee of the Shirley J. Leeper Trust dated December 18, 2009, herein referred to as "Leeper"; and Kasey D. Henke and Jordana C. Henke, husband and wife, herein referred to as "Henke":

WITNESSETH:

Leeper is the owner of the following described real estate, to-wit:

The East Half of the Southeast Quarter (E½ SE¼) and the South Half of the Northeast Quarter (S½ NE¼) of Section 9, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa, EXCEPT Parcel "A" located in the Southeast Quarter of the Northeast Quarter (SE¼ NE¼) of said Section 9, containing 2.176 acres, as shown in Plat of Survey filed in Farm Plat Book 2, Page 494, in the Office of the Recorder of Madison County, Iowa, AND ALSO EXCEPT Parcel "C" in the Southeast Quarter of the Northeast Quarter (SE¼ NE¼) of Section 9, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa, containing 5.126 acres as shown in the Plat of Survey recorded in Book 2013, Page 2245, in the Office of the Recorder of Madison County, Iowa.

Henkes are the owners of the following described real estate, to-wit:

Parcel "C" located in the Southeast Quarter of the Northeast Quarter (SE¼ NE¼) of Section 9, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa, containing 5.126 acres, as shown in Plat of Survey recorded in Book 2013, Page 2245, in the Office of the Recorder of Madison County, Iowa.

Leeper and Henkes are adjoining property owners. Leeper desires to grant Henkes an easement on Leeper's real estate for use and maintenance of a water well and water line servicing Henkes' real estate. Henkes desire to grant Leeper an access easement over and across Henkes' real estate as shown on the plat of survey. Henkes further desire to grant Leeper access to and use of the grain bins currently used by Leeper on their real estate.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, Leeper and Henkes do hereby grant and convey to each other the following easements.

Access Easement

Henkes do hereby grant Leeper an access easement over and across the following described portion of Henkes' real estate, herein referred to as the "easement area", which area is described as follows on the plat of survey of Parcel "C" record in Book 2013, Page 2245, in the Office of the Recorder of Madison County, Iowa, to-wit:

A 30 foot wide Ingress-Egress Easement being 15 feet wide on both sides of the following described easement centerline:

Commencing at the East Quarter Corner of Section 9, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa; thence along the Section Line, North 00°10'08" West, 123.20 feet to the Point of Beginning of the centerline of said easement; thence along said easement centerline, North 73°57'40" West, 76.10 feet; thence North 43°48'23" West, 188.76 feet; thence North 20°53'21" West, 84.44 feet; thence North 60°46'57" West, 22.06 feet; thence South 68°01'34" West, 111.94 feet to a terminus on the West line of Parcel "C".

1. The easement shall be used by Leeper, and her successors in interest if any, for general agricultural access purposes to and from Leeper's adjoining land, and for access to the grain bins and bin fuel tanks on Henkes' Parcel "C" which Leeper utilizes for grain storage and drying. The easement shall be used for no other purpose.

2. Both Henkes and Leeper, and their successors in interest if any, shall have the privilege to maintain the easement area for the uses stated herein; however, this paragraph shall not be construed to create an obligation, or place any obligation, on Henkes and Leeper to repair, maintain, or improve the easement area now or in the future.

3. Use of the easement shall be restricted to Henkes, Leeper, and their respective invitees, tenants, and agents, subject to the terms and conditions of use stated herein.

4. No person shall erect or permit the erection of any building, structure, fence, landscaping or other obstacle within the easement area, nor shall any person conduct any activity which might interfere with the use and maintenance of the easement area.

5. This access easement created hereunder shall automatically terminate and stand null, void and of no further force or effect on January 1, 2020, or upon Shirley J. Leeper's death, whichever first occurs.

Use of Grain Storage Bins

Henkes and Leeper acknowledge and agree that Leeper shall have use of all grain storage bins and bin fuel tanks presently located on Henkes' Parcel "C" for storage and drying of Leeper's grain, and for no other purpose. Repair and maintenance of the bins shall be at Leeper's expense. Use of the bins for grain storage and drying shall be restricted to Leeper. Leeper's tenants and agents may access the bins over and across the easement area and also Henke's Parcel "C" as necessary for the purpose of loading and unloading grain as well as repair and maintenance of the bins.

Leeper's use of the grain bins and fuel tanks as provided herein shall terminate when Leeper ceases to use the bins for personal grain storage, or upon Leeper's death, whichever first occurs.

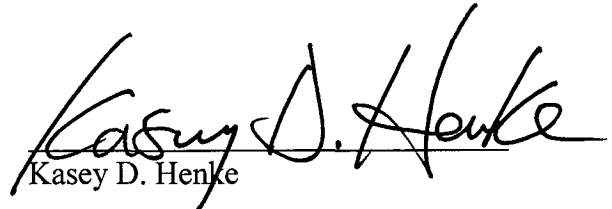
Water Well Easement

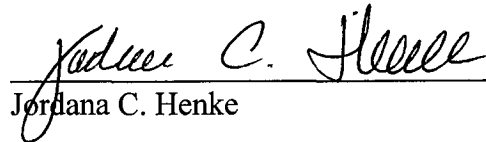
Leeper hereby grants and conveys to Henkes, and to Henkes' successors in ownership of Parcel "C", an easement for use of a water well located on Leeper's adjacent real estate in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 76 North, Range 29 West of the 5th P.M., Madison County, Iowa, and for use of the water line running therefrom and servicing Henkes' Parcel "C".

Leeper further grants, Henkes, and their agents, a right of access over and across Leeper's land for maintenance, repair, and if necessary replacement, of the well and water line. Use of the well and water line shall be restricted to Leeper, Henkes, and any successor owner of Parcel "C".

The easements granted herein may be amended or earlier terminated by the parties as provided in a written agreement entered into for that purpose which shall be recorded in the Office of the Recorder of Madison County, Iowa.

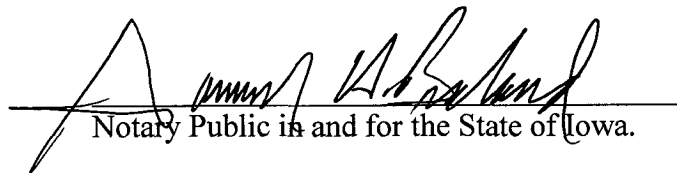

Shirley J. Leeper, Trustee


Kasey D. Henke


Jordana C. Henke

STATE OF IOWA)
) SS
COUNTY OF MADISON)

This instrument was acknowledged before me on January 6, 2015, by Shirley J. Leeper as Trustee of the Shirley J. Leeper Trust dated December 18, 2009, and by Kasey D. Henke and Jordana C. Henke.


Notary Public in and for the State of Iowa.

