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Compared

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MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA
Fee $3.00

AFFIDAVIT OF CLAIM

STATE OF IOWA)
) ss
MADISON COUNTY)

I, James L. Drake, being first duly sworn on oath do hereby depose and state:

My wife, Laura J. Drake and I purchased the real estate legally described as:

> A tract of land described as follows, to-wit: Commencing at a point 373 feet North of the Southwest corner of the Southeast Quarter (SE¼) of Section One (1), in Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, thence South 89°37' East 310 feet parallel to the South line of said Southeast Quarter (SE¼) thence North 53°38' East 68 feet, thence South 77°36' East 33 feet, thence North 12°24' East along the centerline of a County Road 473.8 feet, thence West 498.7 feet to the West line of said South east Quarter (SE¼) thence South 493.9 feet to the point of beginning, containing 5.0005 Acres including 0.3458 acres of County Road right-of-way

from H. Dwayne Crozier and Jane Crozier husband and wife. As a part of this purchase it was orally agreed that Laura J. Drake and I would have the right to drill a well upon other land owned by H. Dwayne Crozier and Jane Crozier husband and wife and that any easement necessary for such purpose would be included in the transaction.

At the time I was preparing to drill a well I advised H. Dwayne Crozier of the proposed location of such well. At that time H. Dwayne Crozier agreed to proposed location of the well and agreed that I would have an easement over and right of entry over such part of his real estate as reasonably necessary to install said well pipes and related equipment necessary to creat a water supply to the premises which I and my wife had purchased from H. Dwayne Crozier and his wife. In reliance upon oral statements and agreements of H. Dwayne Crozier, I dug the well in its present location and installed the pipes, pumps and such other items as were necessary to creat a water supply system for the premises I had purchased from H. Dwayne Crozier and his wife.

Based upon the oral statements and agreements between H. Dwayne Crozier and myself and my reliance thereon, I, James L. Drake and my wife Laura J. Drake claim an easement over and right of entry onto the real estate legally described as:

> The West 20 feet of the South 993.9 feet of the Southeast Quarter (SE¼) of Section One (1), Township Seventy-five (75) North, Range Twenty-eight (28), West of the 5th P.M., except the South 493.9 feet thereof,

for the purpose of maintaining, repairing, improving and replacing the well, pipes, pumps, energy transmission lines and related equipment for a water supply system to the premises which I purchased from H. Dwayne Crozier and Jane Crozier, husband and wife. The terms and conditions of such easement and right of entry are as orally agreed upon.

James L. Drake
JAMES L. DRAKE

Subscribed and sworn to before me, a Notary Public, this 28th day of November, 1978.

Maureen M. Lander
NOTARY PUBLIC.

MAUREEN M. LANDER ★ NOTARIAL SEAL ★ IOWA

Non-apportionment and Release of Claim see misc. Rec 33-481