

BK: 2015 PG: 3615
Recorded: 12/7/2015 at 1:29:54.0 PM
Fee Amount: \$17.00
Revenue Tax:
LISA SMITH RECORDER
Madison County, Iowa

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

LATERAL EASEMENT

This Agreement is made and entered into this 7th day of December, 2015, by and between John S. Mills, a single person, hereinafter referred to as "Mills"; and Wayne D. Fastle and Donna B. Fastle, husband and wife, hereinafter referred to as "Fastle";

WITNESSETH:

Mills owns the following described real estate situated in the City of Earlham, Madison County, Iowa herein designated the "Mills Property", to-wit:

7.88 acres, more or less, in the Northeast Corner of the Northwest Quarter of the Northwest Fractional Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 7, Township 77 North, Range 28 West of the 5th P.M., City of Earlham, Madison County, Iowa.

Fastle owns the following described real estate situated in the City of Earlham, Madison County, Iowa herein designated as Parcel "B", to-wit:

Parcel "B", containing 0.569 acres, as shown in Plat of Survey recorded in Town Plat Book 2, Page 434, in the Office of the Recorder of Madison County, Iowa.


Parcel "B" and the Mills Property share common boundary lines and adjoin each other. A portion of several geothermal heating system lateral lines originating on and servicing Parcel "B" traverse and drain into the Mills Property. Fastle and Mills desire to ensure the existence, maintenance and drainage of the Fastle geothermal lateral lines on the Mills Property by means of an easement grant from Mills to Fastle.

NOW, THEREFORE, in consideration of the mutual promises and covenants hereinafter set forth, Mills hereby grants and conveys unto Fastle an easement and right-of-way over, through, across and under the Mills Property for maintenance of the existing geothermal heating system lateral lines, replacement of said lines, and installation of additional lines, traversing the Mills Property that originate on and service Parcel "B" owned by Fastle. The easement shall be located on the following described area of the Mills property, to-wit:

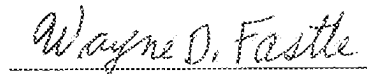
Commencing at the Northwest Corner of Parcel "B" as shown in Plat of Survey recorded in Town Plat Book 2, Page 434, in the Office of the Recorder of Madison County, Iowa, thence West 25 feet, thence South 154 feet, thence East 25 feet, more or less, to the Southwest Corner of said Parcel "B", thence North 154 feet, more or less along the West line of said Parcel "B" to the Northwest Corner thereof and the point of beginning.

The easement rights granted herein are exercisable by Fastle, their successors in interest, licensees, permittees, contractors and agents. The easement rights granted herein shall run with Parcel "B" and the Mills Property described herein, and shall be binding on Mills's and Fastle's successors in interest. This agreement and the easement created herein may be amended or released at any time by appropriate agreement entered into for that purpose by and between Mills and Fastle, or their successors in interest. The amendment or release shall be duly executed, acknowledged, and recorded in the Office of the Recorder of Madison County, Iowa.

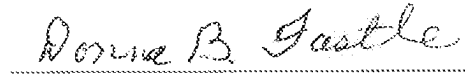
IN WITNESS WHEREOF, the parties herein have entered into this agreement the day and year above written.



John S. Mills




Wayne D. Fastle



Donna B. Fastle

STATE OF IOWA)
) SS
MADISON COUNTY)

This record was acknowledged before me this 7th day of December, 2015, by John S. Mills, Wayne D. Fastle, and Donna B. Fastle.


Notary Public in and for the State of Iowa.

