

DOCUMENT No. 03463 FILED FOR RECORD THE 27th DAY OF August 19 99 AT 9:09 O'CLOCK A. M. BOOK 173 PAGE 2-5 STATE OF IOWA, CHICKASAW COUNTY: Cindy Messersmith Recorder
RECORDING FEE \$ 21.00 By CINDY MESSERSMITH, Deputy
TRANSFER FEE \$ - -

Prepared by: Roger L. Sutton, 119 N. Jackson Street, Charles City, Iowa 50616, 515-228-6010

EASEMENT AGREEMENT

This agreement is entered into at Chickasaw County, Iowa, on the 17 day of August, 1999, by and between the following:

Bruce A. Gartin, First Party, is the owner of the following described real estate, to-wit:

Parcel 1

"That portion of land lying east and north of the Bremer County line and legally described by survey as containing 1.44 acres lying east of the river in the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Thirty-two (32), Township 94N, Range 14 West, in Chickasaw County, Iowa.

and

Richard A. Grandy and Alice F. Grandy, husband and wife, Third Party, are the owners of the following described real estate which is subject to the easement, to-wit:

Parcel 2

"Land in the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) and in the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty-two (32), Township Ninety-four (94) North, Range Fourteen (14) West of the 5th P.M."

Words and phrases herein, including jurat and marginal entry hereof, shall be construed as in the singular or plural number, and as masculine, feminine or neuter gender, according to the context.

I

The purpose of this easement is to grant a personal use easement of ingress and egress only and shall be established as provided in Exhibit "A". The width of the easement shall not exceed 12 feet. The easement shall cross the land of Richard A. and Alice F. Grandy to the point of entry on to the property owned by Bruce A. Gartin.

II

This easement shall be binding on the grantors and grantees and their successors, heirs, assigns and transferees of said property and shall run with the land.

III

The above parcels lie adjacent to one another and the easement is necessary to establish way of ingress and egress to Parcel 1 which are otherwise landlocked.


IV

The use shall not be for any commercial purpose and is solely for private use and shall not be extended beyond such use.


V

The users of the easement shall be totally responsible for their use and any liability arising therefrom and shall hold the grantors harmless from all liability to said grantors or their successors, heirs, assigns and transferees. A failure to do so will void the use and the easement granted will be withdrawn.

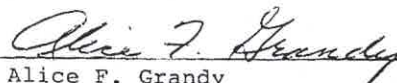
Dated this 17th day of August, 1999



Bruce A. Gartin
First Party, owner of Parcel 1



Richard A. Grandy
Second Party, owner of Parcel 2

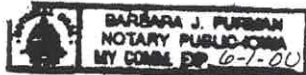


Alice F. Grandy
Second Party, owner of Parcel 2

BOOK 173 PAGE 3

STATE OF IOWA)
) ss.
COUNTY OF Hamilton

On this 24 day of August, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Bruce A. Gartin, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.



Barbara Furman
NOTARY PUBLIC, STATE OF IOWA
My commission expires: 6-1-00

STATE OF IOWA)
) ss.
COUNTY OF CHICKASAW)

On this 17th day of August, 1999, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard A. Grandy and Alice F. Grandy, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Richard A. Grandy
NOTARY PUBLIC, STATE OF IOWA
My commission expires: 6-2000

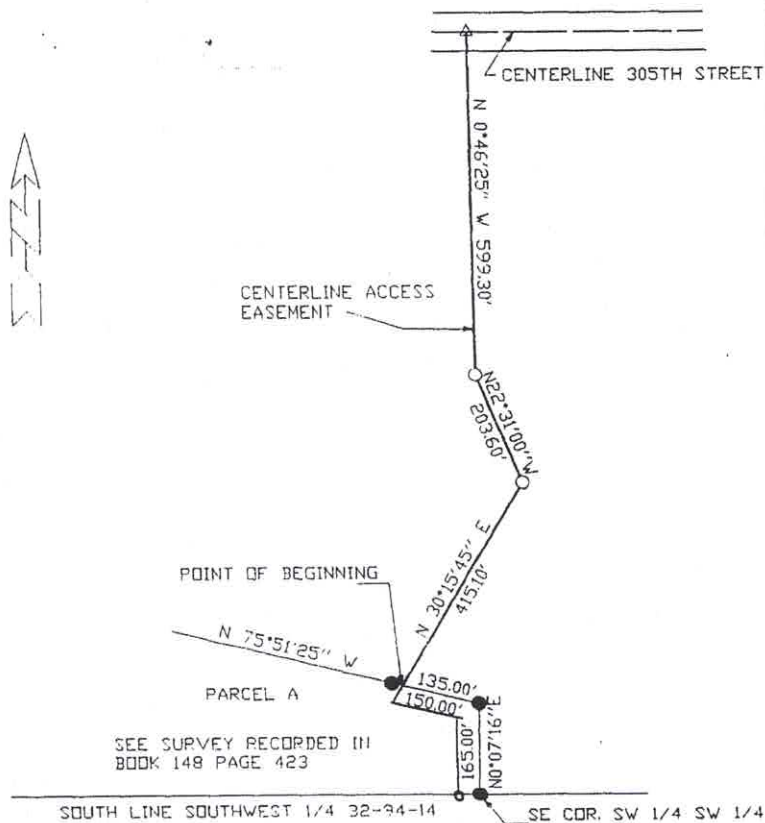


EXHIBIT "A"

EASEMENT DESCRIPTION
FOR
ROGER SUTTON

DESCRIPTION OF AN ACCESS EASEMENT TO PARCEL A IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 32, TOWNSHIP 34 NORTH, RANGE 14 WEST OF THE 5TH P.M. CHICKASAW COUNTY, IOWA, SAID ACCESS TO BE 50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

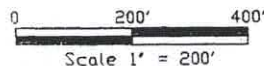
COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 32; THENCE NORTH 0°07'16" EAST 165.00 FEET; THENCE NORTH 75°51'25" WEST 135.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 30°15'45" EAST 415.10 FEET; THENCE NORTH 22°31'00" WEST 203.60 FEET; THENCE NORTH 0°46'25" WEST 599.30 FEET TO THE CENTER OF 305TH STREET IN CHICKASAW COUNTY.



I HEREBY CERTIFY THAT THIS PLAT, MAP, SURVEY OR REPORT WAS MADE BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Steve Busse
STEVE BUSSE
DATE 6/14/99 IOWA REG. NO. 9018
MY LICENSE IS SUBJECT TO RENEWAL ON DEC. 31, 2000

- INDICATES PIN/CAP #10793 FOUND
- INDICATES 1/2" REBAR W/YELLOW CAP SET
- ## INDICATES EXISTING FENCE LINE



STEVE BUSSE P.O. BOX 241 508 ELM STREET ALLISON, IOWA 50802 319-267-2519