

AGREEMENT FOR EASEMENT FOR DRIVEWAY AND SEWER SYSTEM

Re: Northwest Quarter of Northwest Quarter, Section 35, Township 69 North, Range 18 West.

The parties to this easement are Howard Davis and Joyce Anne Davis, (hereinafter Grantors) and George Roger Clark and Pamela Jill Clark, (hereinafter Grantees).

FACTS

1. Grantors, at the same time of the execution of this easement, have sold real estate to Grantees described as:

A parcel of land located in the Northwest Quarter of the Northwest Quarter of Section 35, Township 69 North, Range 18 West of the 5th P.M., Appanoose County, Iowa, more particularly described as follows; Commencing at the Northwest corner of said Section 35, and proceeding thence South 89°56'38" East 1,053.88 along the North line of the Northwest Quarter of said Section 35, thence South 00°03'22" West 179.77 feet to the point of beginning, said point lying on the Southerly right-of-way line of Iowa Highway 2, thence South 88°07'20" East 289.26 feet along said right-of-way line to the East line of the Northwest Quarter of the Northwest Quarter of said Section 35, thence South 00°07'40" West 211.82 feet, thence North 81°32'44" West 316.36 feet, thence North 03°25'27" East 60.60 feet, thence North 10°15'02" East 116.15 feet to the point of beginning, said parcel containing 1.353 acres, more or less, subject to easements of record.

2. That in order to make reasonable use of the real estate sold by Grantors to Grantees it is necessary for Grantors to give Grantees an easement for driveway purposes and an easement for the use of the present sewer system as constructed.

EASEMENT

Therefore, Howard Davis and Joyce Anne Davis, husband and wife, grant to George Roger Clark and Pamela Jill Clark, husband and wife, their successors, assigns and personal representatives two easements as follows:

1. An easement for use of a driveway described as beginning at the Northwest corner of the real estate first described above and proceeding mostly West along the South line of the public highway right-of-way 16 feet, thence Southeast 50 feet to the intersection of this line and the West boundary line of the real estate first described above, thence North 10°15'02" East to the point of beginning.

This easement shall be used for ingress and egress to the real estate first described above for all traffic normal in the use of residential property. The owners of the real estate benefited by this easement shall share in the cost of maintaining the driveway, which costs shall include snow removal and additional gravel as required. The share of such maintenance of the driveway to be paid or provided by the owners of the benefited tract shall be based on their approximate proportional use of the driveway as compared to the use being made by all other parties having the right to also use this driveway.

2. An easement for use of the septic and sewer system as now constructed over a tract described as beginning at the Southeast corner of the real estate first described above and proceeding South 00°00'40" West 125 feet, thence West 50 feet, thence North to the South line of the real estate first described above, thence mostly East to the point of beginning.

This easement shall be for the use and maintenance of the sewer line and the septic and lagoon system presently located on this real estate. The owners of the real estate benefited by this easement shall pay all the costs of maintaining this system and shall always maintain it in

such a manner that it will not be a nuisance or health hazard to any of the adjacent neighbors. The owners of the benefited tract may disturb the soil as needed to maintain this system, but at all times shall replace the topsoil and vegetation in the same condition as it is at the present time. In the event that the owners of the burdened real estate should have any crops or other plants, trees or vegetation growing on the property which are damaged by the maintenance made then the owners of the benefited property shall reimburse the owners of the burdened property for such damage.

3. The two easements above shall run with the land benefited and the land burdened and the successors in interest, assigns and all later owners of either properties shall be bound by the terms of this easement. In the event, however, that a public sewer system should at any time be located within 200 feet of the benefited property, the owners of the benefited property shall have six months in which to connect to that public system. The lagoon shall then be filled and the land returned to its original condition with the then owners of the benefited and burdened properties each paying one-half of the cost. At that time the easement for the sewer and septic system shall terminate and neither party will have further rights or obligations under that portion of this easement agreement.

Howard Davis
Howard Davis

George Roger Clark
George Roger Clark

Joyce Anne Davis
Joyce Anne Davis

Pamela Jill Clark
Pamela Jill Clark

STATE OF IOWA)
) ss:
COUNTY OF APPANOOSE)

On this 11th day of Sept, 1998, before me, the undersigned, a notary public in and for the State of Iowa, personally appeared Howard Davis and Joyce Anne Davis, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that such person executed the same as such person's voluntary act and deed.

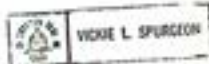
[Signature]
Notary Public in and for the State of Iowa

Recorded without Notary Seal.

STATE OF IOWA)
) ss:
COUNTY OF APPANOOSE)

On this 11th day of Sept, 1998, before me, the undersigned, a notary public in and for the State of Iowa, personally appeared George Roger Clark and Pamela Jill Clark, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that such person executed the same as such person's voluntary act and deed.

[Signature]
Notary Public in and for the State of Iowa

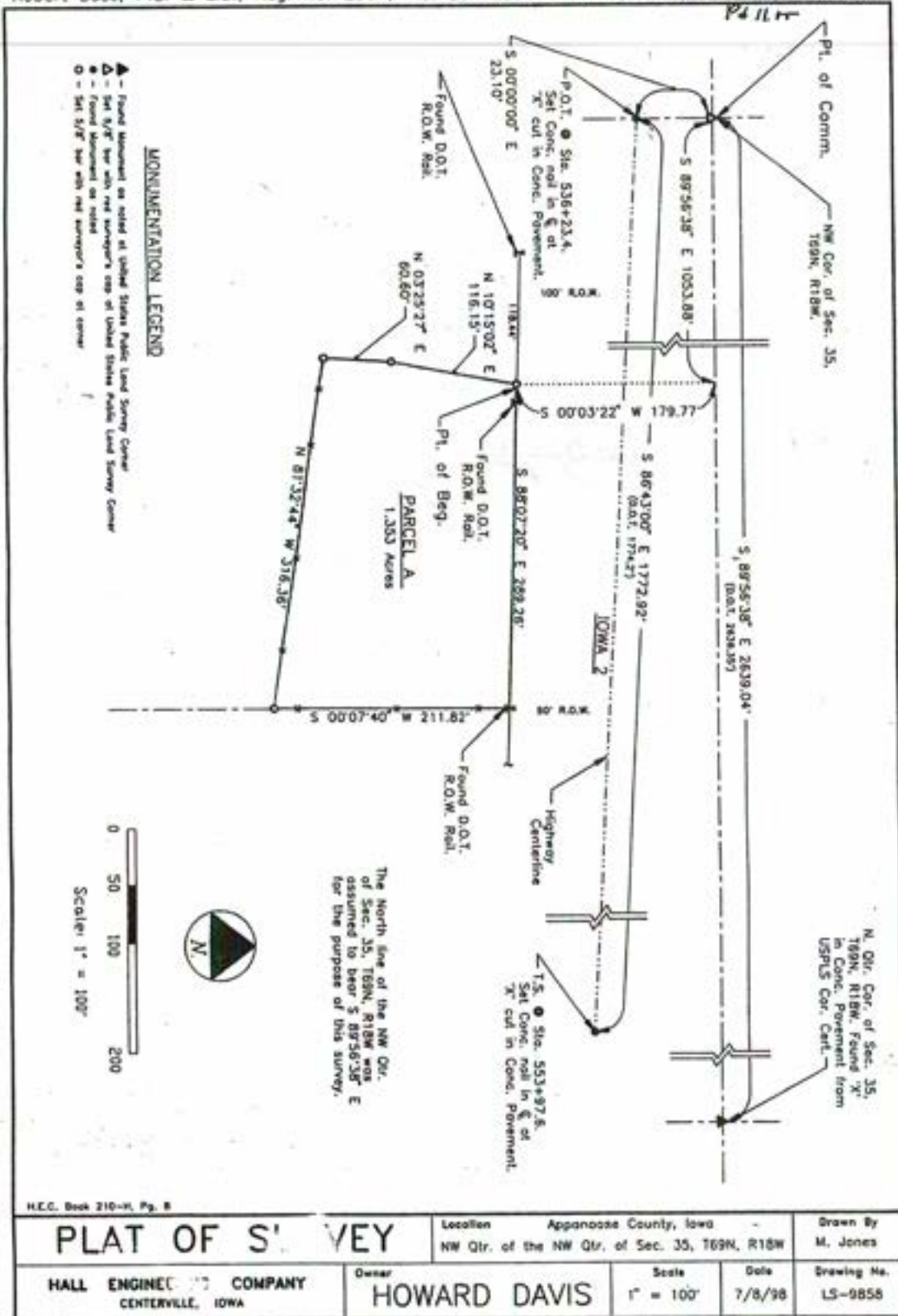


FILED NO. 82-387
8 SEP 14 PM 12:00
11:00 by [Signature]

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FILED NO. 82 PAGE 279
93 JUL 13 PM 1:57

Robert Buss, P.E. & L.S., Reg. No. 2564, P.O. Box 825 Centerville, IA. 52544 (515) 437-4477



H.C.C. Book 210-H, Pg. 8

PLAT OF SURVEY

Location Appanoose County, Iowa
NW Qtr. of the NW Qtr. of Sec. 35, T69N, R18W

Drawn By M. Jones

HALL ENGINEERING COMPANY
CENTERVILLE, IOWA

Owner HOWARD DAVIS

Scale 1" = 100'

Date 7/8/98

Drawing No. LS-9858

SURVEYOR'S CERTIFICATE

This is to certify that on June 26, 1998, and subsequent days, at the request of Howard Davis, a Survey and Plat shown hereon were made under my personal supervision and direction of the following described parcel of land:

A parcel of land located in the Northwest Quarter of the Northwest Quarter of Section 35, Township 69 North, Range 18 West of the Fifth Principal Meridian, Appanoose County, Iowa, more particularly described as follows,

Commencing at the Northwest Corner of Section 35, Township 69 North, Range 18 West of the Fifth Principal Meridian, Appanoose County, Iowa, and proceeding thence South 89°56'38" East 1,053.88 feet along the North line of the Northwest Quarter of said Section 35;
thence South 00°03'22" West 179.77 feet to the Point of Beginning, said Point lying on the Southerly Right-of-Way line of Iowa Highway 2;
thence South 88°07'20" East 289.26 feet along said Right-of-Way line to the East line of the Northwest Quarter of the Northwest Quarter of said Section 35;
thence South 00°07'40" West 211.82 feet;
thence North 81°32'44" West 316.36 feet;
thence North 03°25'27" East 60.60 feet;
thence North 10°15'02" East 116.15 feet to the Point of Beginning, said parcel containing 1.353 acres, more or less, subject to easements of record.


Five-eighths inch iron bars with surveyor's caps were placed at the corners indicated on the Plat to monument them. The field party supervisor was Mr. William Buss, the principal technician was Mr. James Adams.

Dated at Centerville,
Iowa, this 9th day of
July, 1998.


Robert Buss, P.E. & L.S. No. 2564
My license renewal date is December 31, 1999.



I hereby certify that this engineering or land surveying document was prepared by me and the related survey work, if any, was performed by me or under my direct personal supervision and that I am a duly licensed Professional Engineer and Land Surveyor under the laws of the State of Iowa.

 7-10-98
Robert Buss Date
License number 2564
My license renewal date is December 31, 1999.

Pages or sheets covered by this seal:
Page 1 and 2

Date of Seal 7/13/98