

**Recorded: 9/9/2021 at 10:14:00.0 AM**  
**County Recording Fee: \$17.00**  
**Iowa E-Filing Fee: \$3.00**  
**Combined Fee: \$20.00**  
**Revenue Tax:**  
**Delaware County, Iowa**  
**Daneen Schindler RECORDER**  
**BK: 2021 PG: 3225**

Prepared by & Return to: George Davis, P.O. Box 304, Dyersville, Iowa 52040-0304

ACCESS EASEMENT

- Parcel 1      The Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) Section 34, Township 90 North, Range Three West of the 5<sup>th</sup> PM Delaware County, Iowa;
- Parcel 2      The East One-Half (E ½) of the Southwest Quarter (SW 1/4) in Section 35, Township 90 North, Range 3 West of the 5<sup>th</sup> PM, Delaware County, Iowa;
- Parcel 3      The South One-Half (S ½) of the Northwest Quarter (NW 1/4) in Section 35, Township 90 North, Range 3 West of the 5<sup>th</sup> PM, Delaware County Iowa;

WHEREAS, Parcels 1, 2, and 3 above are owned One-Half (½) by Steve Burger, a married person, and One-Half (½) by Brian & Nancy Burger, husband and wife;

WHEREAS, Parcel 1 is being sold to Nick Burger and is landlocked by Parcel 2 and Parcel 3;

WHEREAS, the owners of Parcel 1, Parcel 2, and Parcel 3 are desirous of creating a non-exclusive easement for ingress and egress over a portion of Parcel 2 and Parcel 3 for the benefit of Parcel 1;

WHEREAS, Steve Burger is married to Monica Burger.

NOW AND THEREFORE, Steve Burger, Monica Burger, Brian Burger, and Nancy Burger, hereinafter collectively the "Grantors" agree as follows:

1. The Grantors grant a non-exclusive easement for ingress and egress over the west 35 feet of Parcel 2 over the established driveway and field access road for the benefit of Parcel 1;

2. Further, the Grantors grant a non-exclusive easement for ingress and egress over the south 25 feet of Parcel 3 from the intersection of the Parcel 2 easement with Parcel 3 west to Parcel 1 over the established field access road, for the benefit of Parcel 1;

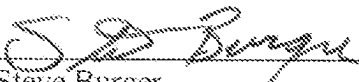
3. The cost of construction, or reconstruction, including labor and materials, and all maintenance and repair costs of the easement area will be paid by the owner of Parcel 1. Further the owner of Parcel 1 shall be financially responsible to the owner of Parcel 2 for any damage or repair costs caused by persons utilizing the easement over the driveway portion of Parcel 2;

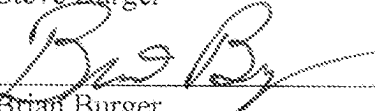
4. The owners of Parcel 1, Parcel 2, and Parcel 3 further agree that Grantor or any of their successors in interest shall not place any impediments in the easement area.

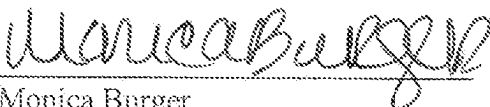
5. That this easement is binding on all successors, heirs, agents, assigns, executors and administrators of the Grantors in perpetuity and shall run with the land;

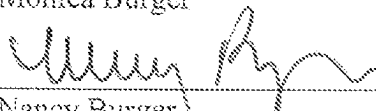
Agreed to this 3rd day of September, 2021

GRANTORS:

  
Steve Burger

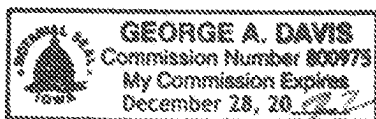
  
Brian Burger

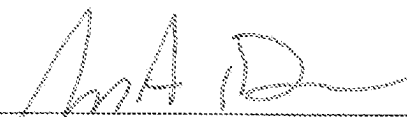
  
Monica Burger

  
Nancy Burger

STATE OF IOWA     )  
                                  ) SS:  
DUBUQUE COUNTY     )

On this 3rd day of September, 2021 before me, the undersigned Notary Public, personally appeared Steve and Monica Burger, husband and wife, as Grantors 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.



  
Notary Public in and for the State of Iowa

STATE OF IOWA     )  
                              ) SS:  
DUBUQUE COUNTY     )

On this 3rd day of September, 2021 before me, the undersigned Notary Public, personally appeared Brian and Nancy Burger, husband and wife, as Grantors 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.

  
\_\_\_\_\_  
Notary Public in and for the State of Iowa

