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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

RM
Prepared by: Richard R. Morris, PO Box 178, Waterloo, IA 50704 (319) 234-1766

ACCESS EASEMENT AGREEMENT

This Agreement is made and entered into on this 30th day of June, 2022 by and between Achinback Waterfront Subdivision, LLC, hereinafter referred to as "LLC" and Randy Pilkington and Patrice A. Pilkington, husband and wife hereinafter referred to as "Pilkington" and Dennis Roberts and Karen Roberts, husband and wife hereinafter referred to as "Roberts".

WITNESSETH:

WHEREAS, Pilkington is the owner of the following described real estate in Delaware County, Iowa described as:

Lot Eleven (11) of Schmidt's Farm & Lake Subdivision, a Subdivision of Parcel 2017-87 in Sec. 23 and Sec. 26 all in T88N, R5W of the Fifth P.M., Delaware County, Iowa, according to recorded plat thereof as shown in Book 2021, Page 1603 as recorded on May 3, 2021; and

WHEREAS, LLC is the owner of Lot Ten (10) of Schmidt's Farm & Lake Subdivision of Parcel 2017-87 in Sec. 23 and Sec. 26 all in T88N, R5W of the Fifth P.M., Delaware County, Iowa, according to recorded plat thereof as shown in Book 2021, Page 1603 as recorded on May 3, 2021; and

WHEREAS, Roberts are the owner of the cabin and improvements on Lot Ten (10) of Schmidt's Farm & Lake Subdivision of Parcel 2017-87 in Sec. 23 and Sec. 26 all in T88N, R5W of the Fifth P.M., Delaware County, Iowa, according to recorded plat thereof as shown in Book 2021, Page 1603 as recorded on May 3, 2021; and

WHEREAS, Roberts and Pilkington have constructed a landscape area that is on both Lots 10 and 11 as referenced above. Said landscape area being located between Ten (10) or Fifteen (15) or more feet from the retaining wall that abuts the Maquoketa River/Lake Delhi with respect to both lots Ten (10) and Eleven (11); and

WHEREAS, Pilkington and Roberts want to have and grant to each other access to this landscape area built jointly by them; and

WHEREAS, Lot Ten (10) is presently owned by the LLC referenced above; and Pilkington is willing to grant access to Roberts with respect to the landscape area and Roberts is willing to grant to Pilkington access to the landscape area and Pilkington needs the LLC to grant Pilkington access to this landscape area as the LLC is the owner of Lot Ten (10),

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein the parties hereto agree as follows:

1. All parties agree that the construction of the landscape area that ranges from Ten feet (10') to Fifteen feet (15') or more from the retaining wall of Lots Ten (10) and Eleven (11) abutting the Maquoketa River/Lake Delhi was constructed by Roberts and Pilkington as allowed under their lease agreements with LLC.

2. Pilkington is now the owner of Lot Eleven (11) as referenced above and grants access over their property to Roberts for any repairs, improvements or maintenance associated with the landscape area as necessary by Roberts.

3. Roberts and LLC grant to Pilkington access over the landscape area located on Lot Ten (10) for access over their property for any repairs, improvements or maintenance associated with the landscape area as necessary by Pilkington and their heirs, successors and administrators and assigns.

4. The parties hereto specifically grant these Access Easements for repairs, improvements or maintenance to each other so that they are perpetual and shall be binding on the heirs, successors and administrators and assigns of LLC, Pilkington and Roberts.

5. This Agreement shall not be amended except by a written agreement entered into by the parties hereto or their respective heirs, successors, administrators and assigns.

6. This Agreement is governed by and subject to the laws of the State of Iowa.

Achinback Waterfront Subdivision, LLC
An Iowa Limited Liability Company

By: Patricia A. Dede
Patricia A. Dede, Manager/Member

By: Edward E. Schmidt
Edward E. Schmidt, Manager/Member

By: Randy Pilkington
Randy Pilkington

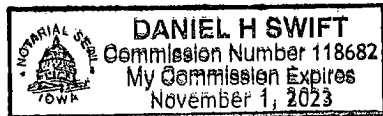
By: Patrice A. Pilkington
Patrice A. Pilkington

By: Dennis Roberts
Dennis Roberts

By: Karen Roberts
Karen Roberts

STATE OF IOWA, COUNTY OF Delaware

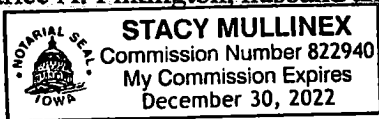
This record was acknowledged before me on June 30, 2022, by Patricia A. Dede, Manager/Member and Edward E. Schmidt, Manager/Member of Achinback Waterfront Subdivision, LLC, an Iowa Limited Liability Company.



[Signature]
Signature of Notary Public

STATE OF IOWA, COUNTY OF Black Hawk

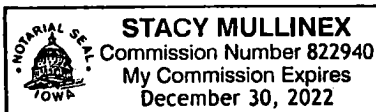
This record was acknowledged before me on June 30, 2022, by Randy Pilkington and Patrice A. Pilkington, husband and wife.



[Signature]
Signature of Notary Public

STATE OF IOWA, COUNTY OF Black Hawk

This record was acknowledged before me on June 30, 2022, by Dennis Roberts and Karen Roberts, husband and wife.



[Signature]
Signature of Notary Public