

Recorded: 7/14/2023 at 11:20:14.0 AM
County Recording Fee: \$12.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$15.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 1638

Prepared by: Janette S. Voss, 301 E. Main Street, P. O. Box 138, Anamosa, IA 52205 - (319) 462-4935

DRIVEWAY AND WELL AGREEMENT

WHEREAS, Marti Petlon and Peggy S. Petlon, husband and wife (hereinafter referred to as "Petlons"), are the owners of the following described real estate located in Delaware County, Iowa:

The North Four Hundred (400) feet of the West Four Hundred Nine (409) feet of the Northwest Quarter (NW¹/₄) of the Northwest Quarter (NW¹/₄) of Section Eleven (11), Township Eighty Nine (89) North, Range Five, West of the 5th P.M., Delaware County, Iowa, subject to roadways and easements of record. (hereinafter referred to as "Petlon Land"); and

WHEREAS, Patrick Behlman and Stephanie Behlman, husband and wife, (hereinafter referred to as "Behlmans"), are purchasing from the Petlons the following described real estate located in Delaware County, Iowa:

The North four hundred (400.0) feet of the West six hundred sixty seven (667) feet and two (2) inches of the Northwest Quarter (NW¹/₄) of the Northwest Quarter (NW¹/₄) of Section Eleven (11), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., except the West four hundred nine (409) feet thereof (hereinafter referred to as "Behlman Land"); and,

WHEREAS, there presently is a well situated on Petlon Land which provides water service to both Petlon Land and Behlman Land and there presently is a driveway located west of the northeast corner of Petlon Land which provides access from Honey Creek Road to Petlon Land and Behlman Land, and the parties wish to confirm the respective rights and responsibilities as to the existing water service and driveway.

IT IS THEREFORE MUTUALLY AGREED AS FOLLOWS:


1. Petlons and Behlmans are each granted a twenty foot (20') wide easement for access from Honey Creek Road on the existing driveway and then continuing over and across Petlon Land and Behlman Land. Behlmans shall be responsible for the maintenance of the driveway and easement, despite the fact that the northerly portion of the easement is on Petlon Land.

2. Petlons grant Behlmans a twenty foot (20') wide easement centering on the existing water service line from Behlman Land over and across Petlons Land to the existing water well. All costs for electricity to operate the pump for the well shall be paid by Petlons with reasonable reimbursement being made to Petlons

3. This agreement may be terminated at any time by mutual agreement of the parties. All terms of this agreement shall be binding upon the heirs, assigns and successors in interest of the parties hereto and any easement created hereby shall run with the land.

Dated this 11 day of July, 2023.

Patrick Behlman
Patrick Behlman


Stephanie Behlman

STATE OF IOWA)
) ss.
COUNTY OF DELAWARE)

SUSAN K MEYER
Commission Number 798639
My Commission Expires 8-9-25

Susan K. Meyer
Notary Public in and For the State of Iowa

STATE OF IOWA)
) ss.
COUNTY OF DELAWARE)

SUSAN K MEYER
Commission Number 798639
My Commission Expires

Susan K Mezza
Notary Public in and For the State of Iowa