

Recorded: 10/14/2025 at 3:48:22.0 PM
County Recording Fee: \$12.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$15.00
Revenue Tax: \$0.00
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2025 PG: 2753

Prepared by & return to: Carr & Carr Attorneys, 117 S. Franklin St., Box 333, Manchester, IA 52057 (563) 927-4164

ENCROACHMENT EASEMENT

WHEREAS Richard Heffernan, a single person, contract seller and Heffernan Carpentry Contractors, L.L.C., contract buyer together hereinafter First Party own the following described real estate:

The North one hundred sixty (160) feet of Lot Three (3), A.R. Loomis Addition to Manchester, Iowa

WHEREAS Norma Jean Vande Vegte, a single person, hereinafter Second Party owns the following described real estate:

The North one half of Lot Ten (10), A. R. Loomis Addition to Manchester, Iowa, according to plat recorded in Book 15 L.D., Page 410.

WHEREAS there is a structure located in the Northwest corner of the property of Second Party that has eaves which overhang the property line onto property of First Party approximately 0.5'.

It is therefore agreed between the parties in consideration of the promises and performances herein as follows:

1. First Party grants unto Second Party an Easement on and over that part of First Property's property where the encroachment exists and for reasonable access to make repairs to the structure.
2. This Easement shall remain effective for so long as the encroachment remains in place.
3. Second Party agrees that no further encroachment of any type will be constructed.
4. Second Party agrees to hold harmless First Party and save in full from any and all liability whatsoever arising from any part of the encroachment.

5. Upon the complete destruction or removal of the encroachment this Easement shall terminate. Complete Destruction shall occur when the cost of repairs is greater than sixty percent of the value of the encroaching structure.

6. This Easement will run with the land and be binding upon the heirs, successors and assigns of the parties hereto.

Dated this 3rd day of October, 2025.

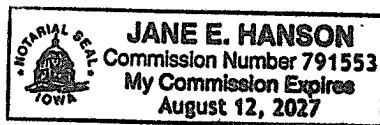
Richard L. Heffernen
Richard Heffernen

John J. Heffernen
Heffernen Carpentry Contractors, L.L.C.
By: John J. Heffernen, Manager

Julie A. Regan
Julie A. Regan as Agent for
Norma Jean Vande Vegte

STATE OF IOWA)
DELAWARE COUNTY)

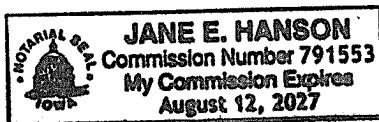
This instrument was acknowledged before me on this 3rd day of October, 2025 by Richard Heffernen.



Samuel Hanson
Notary Public in and for the State of Iowa

STATE OF IOWA)
DELAWARE COUNTY)

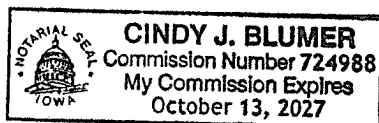
This instrument was acknowledged before me on this 3rd day of October, 2025 by John J. Heffernen as Manager of Heffernen Carpentry Contractors, L.L.C.



Samuel Hanson
Notary Public in and for the State of Iowa

STATE OF IOWA)
DELAWARE COUNTY)

This instrument was acknowledged before me on this 7th day of October, 2025 by Julie A. Regan as Agent for Norma Jean Vande Vegte.



Cindy J. Blumer
Notary Public in and for the State of Iowa