



Document 2024 656

Book 2024 Page 656 Type 06 001 Pages 4

Date 3/27/2024 Time 11:39:38AM

Rec .mt \$22.00

INDX
ANNO
SCAN

BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

**TERMINATION OF EASEMENT AGREEMENT
Recorder's Cover Sheet**

Preparer Information:

Kyle Weber, 101 ½ W Jefferson, PO Box 230, Winterset, IA 50273, Phone: (515) 462-3731

Taxpayer Information:

Return Document To: Todd R. and Renae L. Montgomery, 1271 Old Portland Rd., Van Meter, IA 50261

Grantors:

Todd R. Montgomery and Renae L. Montgomery

Grantees:

Fred Schimmels

Legal Description: See Page 2

Document or instrument number of previously recorded documents: Book 119, Page 23

TERMINATION OF EASEMENT AGREEMENT

Now on this 27 day of March, 2024, Todd R. Montgomery and Renae L. Montgomery and Fred Schimmels, being the owners of the real estate described below, enter into this Agreement to terminate an existing Easement Agreement.

The parties have agreed to reduce this agreement to writing and state as follows:

1. Todd R. Montgomery and Renae L. Montgomery, husband and wife, are the owners of the following real estate:

Parcel "A", located in the Southeast Quarter ($\frac{1}{4}$) of Section Seventeen (17), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 2002, Page 3961 on August 13, 2002, in the Office of the Recorder of Madison County, Iowa EXCEPT Parcel "B", which is a part of said Parcel A, as shown in Plat of Survey filed in Book 2003, Page 1406 on March 13, 2003, and corrected by Affidavit filed in Book 2003, Page 3470 on June 16, 2003, in the Office of the Recorder of Madison County, Iowa.

2. Fred Schimmels is the owner the following real estate:

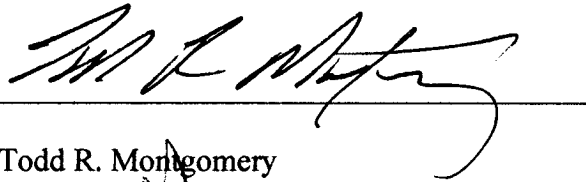
A tract of land in the Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) of Section Seventeen (17), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, described as follows: Beginning at a point 218 feet West and 195 feet South of the Northeast corner of said Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$), thence South 186 feet, thence East 218 feet more or less, to the East line of said Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$); thence North 381 feet to the Northeast corner of said Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$), thence West along the North line of said Northeast Quarter ($\frac{1}{4}$) of the Southeast Quarter ($\frac{1}{4}$) 368 feet, thence South 174 feet, thence South Easterly 150 feet more or less to the point of beginning and containing approximately 2.53 acres.

3. An Easement Agreement for Water Well Purposes was entered into by Rex R. Shambaugh and Anna Lee Shambaugh, husband and wife ("First Parties"), and Terry L. Welborn and Nancy L. Welborn, husband and wife ("Second Parties"), dated May 19, 1983, filed May 24, 1983, in Book 119, Page 23, in the Recorder's Office of Madison County, Iowa.
4. Fred Schimmels, as successor to Second Parties, and owner of the land benefitted by the original easement agreement, does hereby agree to abandon the subject well and terminate all rights and interest in said easement.
5. As the heirs or successors to the real estate subject to the Easement Agreement, the Parties wish to terminate said Agreement.

Wherefore, the parties hereby release, terminate, and extinguish that certain Easement Agreement, dated May 19, 1983, filed May 24, 1983, in Book 119, Page 23, in the Recorder's Office of Madison County, Iowa, by and between Rex R. Shambaugh and Anna Lee Shambaugh, husband and wife, and Terry L. Welborn and Nancy L. Welborn, husband and wife.

Words and phrases, herein, including acknowledgement hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

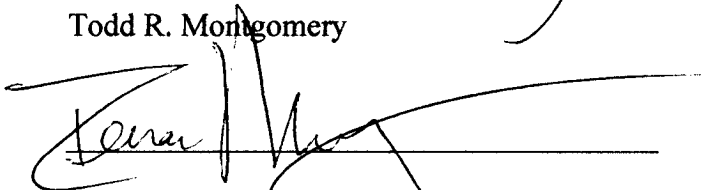
Signed this 27 day of March, 2024.



Todd R. Montgomery

3-5-24

Date



Renae L. Montgomery

2/28/24

Date



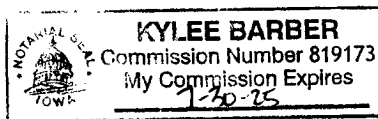
Fred Schimmels


3-27-24

Date

STATE OF IOWA, COUNTY OF Madison

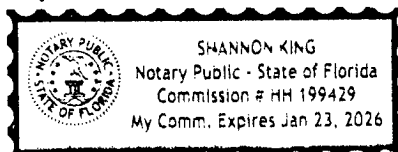
This record was acknowledged before me on March 5th, 2024 by Todd R. Montgomery.





Signature of Notary Public

STATE OF FLORIDA, COUNTY OF SARASOTA

This record was acknowledged before me on 2/28/2024, 2024 by Renae L. Montgomery.




Signature of Notary Public

STATE OF IOWA, COUNTY OF Dallas

This record was acknowledged before me on March 27, 2024 by Fred Schimmels.

Shari Smith
Signature of Notary Public

