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BOOK 142 PAGE 829
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RECORDER
MADISON COUNTY, IOWA

Prepared By: Dean R. Nelson, P.O. Box 370, Earlham, IA 50072 (515) 758-2267
Address Tax Statement: Michael H. Frey, 1365 Earlham Road, Earlham, IA 50072

AMENDMENT TO EASEMENT

This Easement, is made and entered into this 8th day of August, 2000, by and between Harold A. Frey and Mary Louise Frey, husband and wife, hereinafter referred to as Grantors, and Michael H. Frey and Penny L. Frey, husband and wife, hereinafter referred to as Grantees,

WITNESSETH:

WHEREAS, Grantors and Grantees entered into an easement dated March 20, 2000, and filed of record March 23, 2000, in the Office of the Madison County Recorder in Book 142, page 402, and

WHEREAS, by the terms of said easement Grantors granted and assigned to Grantees a permanent easement for the right to obtain water from the property owned by Grantors, said easement being described as follows, to-wit:

A strip of land 1 rod in width commencing approximately 17 feet West of the Southeast Corner, thence North 6 feet to a house well; thence commencing on the East side of the house well 9 feet from the East boundary; thence Northwesterly following a waterline 1480 feet to a point 11 feet from the East boundary line to a house pit; thence North 16 feet to a spring pit; thence West of the house pit 12 feet to a spring well; thence West 15 feet; thence North following the existing waterline approximately 155 feet to Grantee's property; and

WHEREAS, the legal description for said easement described in the preceding paragraph contained a scrivener's error and was not correct, and

WHEREAS, the true and correct legal description for the easement being described should have been described as follows, to-wit:

A strip of land 1 rod in width commencing approximately 17 feet West of the Southeast Corner of the Southeast Quarter of the Southeast Quarter of Section 24, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa, thence North 6 feet to a house well; thence commencing on the East side of the house well 9 feet from the East boundary; thence Northwesterly following a waterline 1480 feet to a point 11 feet from the East boundary line to a house pit; thence North 16 feet to a spring pit; thence West of the house pit 12 feet to a spring well; thence West 15 feet; thence North following the existing waterline approximately 155 feet to Grantee's property; and

WHEREAS, paragraph 2 of said easement refers to Grantors in two different places which is not correct. That the word "Grantees" should have been used instead of the word "Grantors" in said paragraph 2.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Grantors and Grantees hereby amend the legal description of the easement set forth on page 2 of the Easement dated March 20, 2000, and filed of record March 23, 2000, by deleting the legal description described therein and in lieu thereof, the following description inserted:

A strip of land 1 rod in width commencing approximately 17 feet West of the Southeast Corner of the Southeast Quarter of the Southeast Quarter of Section 24, Township 77 North, Range 29 West of the 5th P.M., Madison County, Iowa, thence North 6 feet to a house well; thence commencing on the East side of the house well 9 feet from the East boundary; thence Northwesterly following a waterline 1480 feet to a point 11 feet from the East boundary line to a house pit; thence North 16 feet to a spring pit; thence West of the house pit 12 feet to a spring well; thence West 15 feet; thence North following the existing waterline approximately 155 feet to Grantee's property.

2. Grantors and Grantees hereby amend paragraph 2 on page 2 of the Easement dated March 20, 2000, and filed of record March 23, 2000, in the Office of the Madison County Recorder by deleting said paragraph and in lieu thereof, the following paragraph 2 is inserted:

2. The easement granted to Grantees is for the purpose of drawing water from a well located within the easement boundaries and shall include the right to install, maintain, repair and replace such pipes, lines, pumps, motors, electric cables and lines and appurtenant devices and equipment as are necessary to draw water from such well and transport such water to Grantees real estate which is above described.

3. That nothing in this Amendment to Easement will in any way change or alter any of the other conditions or terms of said Easement, this Amendment to Easement being made for the purpose of correcting the legal description of the easement granted from Grantors to Grantees, and for the purpose of setting forth the words "grantees" in lieu of "grantors" in paragraph 2 of said easement.

4. Grantors and Grantees hereto and hereby reaffirm all other provisions of the said original Easement not amended hereinabove.

Dated this 8th day of August, 2000.

Harold A. Frey
Harold A. Frey

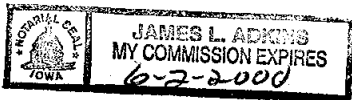
Michael H. Frey
Michael H. Frey

Mary Louise Frey
Mary Louise Frey

Penny L. Frey
Penny L. Frey

STATE OF IOWA)
) SS
MADISON COUNTY)

On this 5th day of August, 2000, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Harold A. Frey and Mary Louise Frey 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.

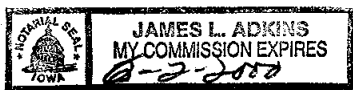


James L. Adkins
Notary Public in and for the State of Iowa.

(SEAL)

STATE OF IOWA)
) SS
MADISON COUNTY)

On this 5th day of August, 2000, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Michael H. Frey and Penny L. Frey, 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.



James L. Adkins
Notary Public in and for the State of Iowa.

(SEAL)