

EASEMENT

WHEREAS Mark Marean and Stacy Marean, Husband and Wife, hereinafter referred to as Grantors, are the owners of real estate legally described as follows:

Parcel "E" in the Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Northwest Quarter all in Section 25, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, more particularly described as follows: Commencing at the Northeast Corner of the Southwest Quarter of the Northwest Quarter of Section 25, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa; thence South 00°00'00" East 706.19 feet along the East line of said Southwest Quarter of the Northwest Quarter to the Point of Beginning; thence North 90°00'00" West 66.0 feet; thence South 00°00'00" East 800.00 feet; thence North 90°00'00" East 66.0 feet to the East line of the Northwest Quarter of the Southwest Quarter of said Section 25; thence North 00°00'00" East 191.76 feet along the East line of said Northwest Quarter of the Southwest Quarter; thence North 00°00'00" East 608.24 feet to the Point of Beginning containing 1.212 acres,

REC \$ 10.00  
AUD \$  
R.M.F. \$ 1.00

and other real estate contiguous thereto, and,

COMPUTER ☒  
RECORDED ☒  
COMPARED ☒

WHEREAS, Richard DeWitt and Mary DeWitt, husband and wife, hereinafter referred to as Grantees, are the Grantors' predecessors in interest to the real estate first described above and are the owners of other real estate contiguous thereto and situated in Section 25, Township 76 North, Range 27 West of the 5th P.M., Madison County, Iowa, and,

WHEREAS Grantors, their successors, heirs and assigns, in consideration of one dollar (\$1.00) and other good and valuable consideration, and in further consideration of the mutual covenants and promises herein made, do hereby grant unto the Grantees, their successors, heirs and assigns, a non-exclusive easement over and across the real estate first described herein for the benefit of the adjacent and contiguous lands of the Grantees, their successors, heirs and assigns.

STATE OF IOWA, ss.  
MADISON COUNTY,  
Inst. No. 1567  
Book 2001  
Filed for Record this 19th day of April, 2001 at 2:30 PM  
Michelle Uisler, Recorder, By DeWitt Smith Deputy  
Recording Fee \$ 11.00

BE IT THEREFORE FURTHER AGREED by and between the parties as follows:

1. If the Grantors, at their expense, shall convert the real estate first described above to a private roadway, they shall maintain the same at their sole expense. However, at such time as the said roadway should become used to access residential real estate located on the adjacent lands of the Grantees, the parties shall share equally the reasonable expenses associated with maintaining the said private roadway.

2. This easement and the agreements contained herein shall terminate in the event the real first described above shall become a public roadway.

Mark Marean  
Mark Marean, Grantor,

Stacy Marean  
Stacy Marean, Grantor

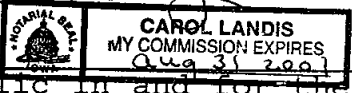
Subscribed and sworn to before me by the said Mark Marean and Stacy Marean this 17 day of April, 2001.

Carol Landis  
  
Notary  the State of Iowa.

Richard S. DeWitt  
Richard DeWitt, Grantee,

Mary E. DeWitt  
Mary DeWitt, Grantee

Subscribed and sworn to before me by the said Richard DeWitt and Mary DeWitt this 17 day of April, 2001.

Carol Landis  
  
Notary Public in and for the State of Iowa.