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FILED NO. **5029**BOOK **141** PAGE **554**

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REC \$ 10.00AUD \$ 1.00R.A.F. \$ 1.00MICHELLE UGGER
RECORDER
MADISON COUNTY, IOWA

This instrument prepared by and return to:
 ROSS F. BARNETT, Attorney at Law, 520 - 35th St., Suite #100, Des Moines, Iowa 50312 PH # (515) 274-6753

SHARED DRIVEWAY EASEMENT AGREEMENT

STATE OF IOWA)
) SS:
 COUNTY OF POLK)

WHEREAS, **Vince Proudfoot and Crystal Proudfoot, husband and wife**, are the record titleholders of the real estate situated in Madison County, Iowa, and legally described as follows, to-wit:

The Southeast Quarter (¼) of the Northeast Quarter (¼) of Section Seventeen (17) in Township Seventy-five (75) North, Range 25 West of the 5th P.M., Madison County, Iowa, EXCEPT

Parcel "F" in the Southeast Quarter (¼) of the Northeast Quarter (¼) of Section Seventeen (17) in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 450 on May 28, 1999 in the Office of the Madison County, Iowa Recorder, AND

WHEREAS, **Roy W. Yonce and Sallie P. Yonce, husband and wife**, are the record titleholders of the real estate situated in Madison County, Iowa, locally known as 3001 Hickory Ridge Road, St., Charles, Iowa 50240 and legally described as follows, to-wit:



Parcel "F" in the Southeast Quarter (¼) of the Northeast Quarter (¼) of Section Seventeen (17) in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, as shown in Plat of Survey filed in Book 3, Page 450 on May 28, 1999 in the Office of the Madison County, Iowa Recorder, Together with all of Sellers' right, title, and interest in and to an easement over and across the West Half (W ½) of the Southwest Quarter (SW ¼) of Section Sixteen (16), Township Seventy-five (75) North, Range Twenty-six (26) West which is for the purpose of repairing, replacing, and maintaining the water system for the house on the premises conveyed and the right to utilize the water from a well located on such West Half (W ½) of Southwest Quarter (SW ¼), and

WHEREAS, the properties of the aforementioned titleholders share a common boundary,

IT IS THEREFORE AGREED, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, that **Roy W. Yonce and Sallie P. Yonce, husband and wife** do hereby grant, sell, and convey to **Vince Proudfoot and Crystal Proudfoot, husband and wife**, the following:

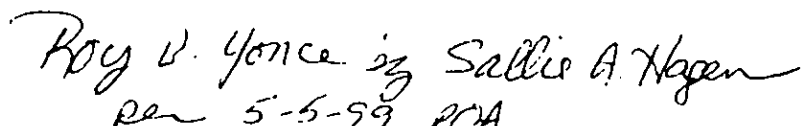
A perpetual easement for the purposes of using, maintaining, and repairing a driveway, heretofore constructed and now existing, and now owned by Roy W. Yonce and Sallie P. Yonce, upon and across a strip of land twelve feet (12') wide over the East twelve feet (12') of the above-described Parcel "F", as shown by the survey recorded in the Madison County Recorder's Office.

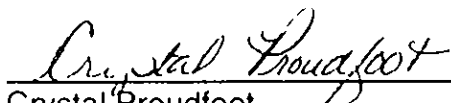
Said easement is hereby established over a strip of land twelve feet (12') wide for the purpose of establishing and maintaining a driveway. The parties to this agreement shall have the right of access to the easement area, together with all rights of ingress and egress reasonably necessary for the use and enjoyment of the easement area as herein described. The parties hereto, their successors and/or assigns, shall jointly bear the cost of maintaining the driveway area.

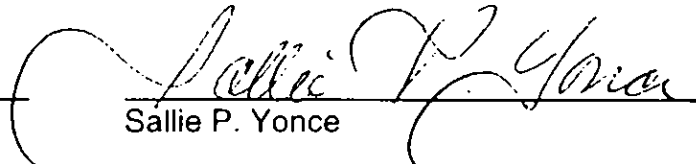
This easement is for the benefit of and is an appurtenance to the above-described land, or any portion thereof.

IT IS FURTHER AGREED, that for so long as said driveway is in existence, this easement shall run with the land and shall be binding upon both parties, their successors, heirs, assigns, and grantees.


Vince Proudfoot


Roy W. Yonce

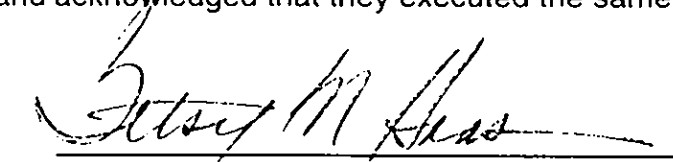

Crystal Proudfoot


Sallie P. Yonce

STATE OF IOWA)
COUNTY OF MADISON) SS:

INDIVIDUAL

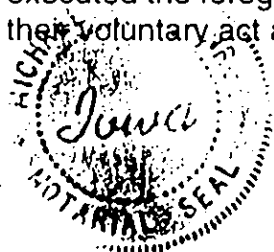
On this 10 day of June, 1999, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **Vince Proudfoot and Crystal Proudfoot, husband and wife**, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

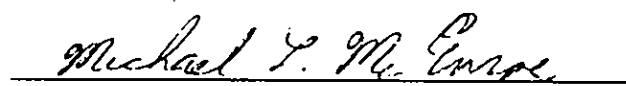

Notary Public in and for the State of Iowa

STATE OF IOWA)
COUNTY OF POLK) SS:

INDIVIDUAL

On this 10 day of June, 1999, before me, the undersigned, a Notary Public in and for said County and State, personally appeared **Roy W. Yonce and Sallie P. Yonce, husband and wife**, 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.




Notary Public in and for the State of Iowa