



Document 2011 1450

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

Easement Agreement

Preparer Information: (Individual's name, address and phone number)

Jerrold B. Oliver

PO Box 230

Winterset, IA 50273 515-462-3731

Taxpayer Information: (Taxpayer's name and full mailing address)

N/a

✓ **Return Document To:** (Name and full mailing address)

William & Pamela Frommelt

1502 105th ST.

Earlham, IA 50072

Grantors:

John F. Godby
Jan B. Godby

Grantees:

William L. Frommelt
Pamela L. Frommelt

Parcel Identification Number:

(If required or applicable)

Legal Description:

Pg 2

Document or instrument number of associated documents previously recorded:

EASEMENT AGREEMENT

John F. Godby and Jan B. Godby, husband and wife, hereinafter called "Grantors", for valuable consideration, do hereby grant to William L. Frommelt and Pamela L. Frommelt, as joint tenants with full rights of survivorship and not as tenants in common, hereinafter called "Grantees"

The perpetual right and easement upon and over the following described real estate:

An Easement upon and over a portion of the Northwest Quarter (¼) of the Southwest Quarter (¼) of Section One (1), Township Seventy-seven (77) North, Range Twenty-nine (29) West of the 5th P.M., described as commencing at the Southeast corner of Parcel "D" of said Northwest Quarter (¼) of the Southwest Quarter (¼) and running thence East along the North right-of-way line of the railroad right-of-way to the East line of said Northwest Quarter (¼) of the Southwest Quarter (¼), thence North 30 feet, thence Northwest parallel to the right-of-way of the railroad to the East line of said Parcel "D", thence South 30 feet to the point of beginning

together with the right of ingress and egress over and across said easement area for access purposes.

The Grantors warrant and covenant to the Grantees that they are the owners of the real estate upon which said easement area is situated, that they have full right and authority to validly grant this easement, and the Grantees may quietly enjoy their estate in the premises.

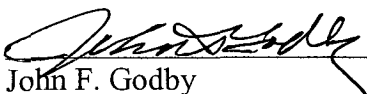
Grantors covenant that no act will be permitted within the easement area which is inconsistent with the rights hereby granted; and no buildings or structures will be erected upon said easement area, and that the present grade or ground level thereof will not be changed by excavation or filling. This easement shall run with the land and bind and inure to the benefit of the heirs, successors and assigns of the parties.

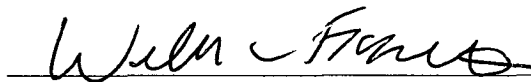
Grantees shall be solely responsible for the repair and maintenance of the easement area and shall, upon maintenance or repair, restore the surface of the easement area to its condition

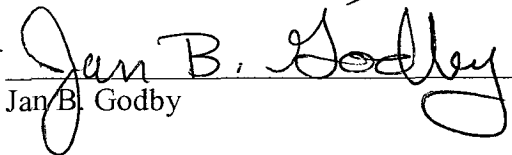
existing prior to such repair or maintenance. This easement shall terminate in the event the easement is abandoned by Grantees, their heirs, successors or assigns.

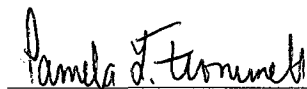
The easement contained in the Warranty Deed from Grantors to Grantees recorded in Book 2007, Page ³⁹⁵⁶~~356~~ of the Recorder's Office of Madison County, Iowa, as shown in the Plat of Survey in Book 2007, Page 2839 of the Recorder's Office of Madison County, Iowa, is hereby terminated and deleted.

Dated this 8 day of December, 2010.


John F. Godby

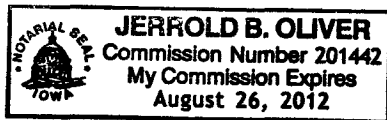

William L. Frommelt

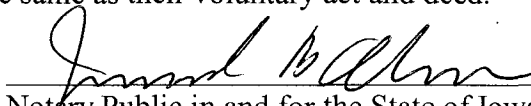

Jan B. Godby


Pamela L. Frommelt

STATE OF IOWA :
 :ss
Madison COUNTY :

On this 8 day of Dec, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared John F. Godby and Jan B. Godby, to me personally 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

:

:SS

Polk COUNTY

:

On this 29 day of December, 2010, before me, the undersigned, a Notary Public in and for said State, personally appeared William L. Frommelt and Pamela L. Frommelt, to me personally 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.

Amy M. Heims

Notary Public in and for the State of Iowa

AMY M. HEIMS

Notarial Seal, Iowa

Commission Number 764296

My Commission Expires August 20, 2013