



Document 2015 3444

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Fee Amount: \$17.00

Revenue Tax:

LISA SMITH RECORDER

Madison County, Iowa

INDX ✓
ANNO
SCAN
CHEK

Prepared by: James L. Bergkamp, Jr., ICIS #AT0000823
218 S. 9th St., P.O. Box 8, Adel, IA 50003
Phone (515)993-1000

Return to: James L. Bergkamp, Jr.
P.O. Box 8, Adel, IA 50003

Easement Agreement

1. **Grant of Easement.** The undersigned, Gene S. Pomeroy and Sherre L. Pomeroy, husband and wife (Grantors), the owners of the property legally described as:

The North 30 feet of Parcel "H" as shown in Plat of Survey filed in Book 2013, Page 2889 on September 27, 2013, in the Office of the Recorder of Madison County, Iowa, located in the South Half (1/2) of the Southwest Quarter (1/4) of Section Thirteen (13), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa (the "Easement Area"),

in consideration of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, on behalf of themselves and the heirs, successors and assigns do hereby grant and convey to Jeffrey Jon Warren and Doreena Lee Warren, husband and wife, their heirs, successors and assigns (Grantees), the owners of the property legally described as:

The North Half (1/2) of the Northwest Quarter (1/4) and the South 25 feet of the Northwest Quarter (1/4) of the Northeast Quarter (1/4) of Section Twenty-four (24), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, including Parcel "A" located therein, as shown in Plat of Survey filed in Book 3, Page 640 on October 25, 2000, in the Office of the Recorder of Madison County, Iowa; AND the South Half (1/2) of the Southwest Quarter (1/4) of Section Thirteen (13), Township Seventy-five (75) North, Range Twenty-eight (28) West of the 5th P.M., Madison County, Iowa, EXCEPT Parcel "H", located therein, containing 15.000 acres, as shown in Plat of Survey filed in Book 2013, Page 2889 on September 27, 2013, in the Office of the Recorder of Madison County, Iowa, (the "Benefitted Property")

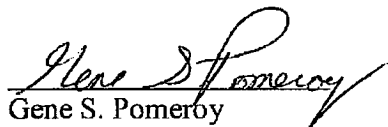
a permanent and perpetual ingress and egress easement upon the Easement Area.

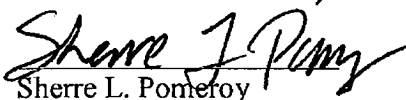
2. **Use and Purpose.** The Easement shall be for the purpose of ingress and egress of Grantees, their agents, tenants and invitees, across the Easement Area to and from the Benefitted Property. The parties agree that they will each keep the Easement Area free of any obstructions.
3. **Repair and Maintenance.** Grantees shall solely responsible for the repair and maintenance and the out-of-pocket costs of the repair and maintenance of the Easement Area. Grantees shall have the right, but not the obligation, to rock and grade the Easement Area.
4. **Binding Effect.** This Easement shall run with the land and be binding upon the present and future owners and occupants of the Easement Area and the Benefitted Property.
5. **Miscellaneous.**
 - a. This Easement Agreement shall constitute the entire Agreement between the parties and no amendments or additions to this Agreement shall be binding unless in writing and signed by both parties.
 - b. The prevailing party in any litigation concerning this Easement Agreement shall recover as part of its costs, the reasonable attorney's fees incurred in such litigation.
 - c. Grantors do HEREBY COVENANT with Grantees that (i) Grantor holds said real estate described as the Easement Area by title in fee simple; (ii) that Grantors have good and lawful authority to convey the same; and (iii) said Grantors covenant to WARRANT AND DEFEND the said Easement Area against the claims of all persons whomsoever.

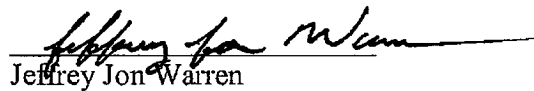
In Witness Whereof, the parties enter into this Easement Agreement on this 10th day of November, 2015.

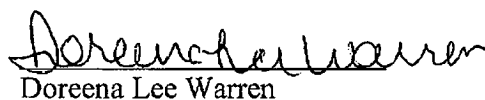
Grantors

Grantees


Gene S. Pomeroy


Sherre L. Pomeroy

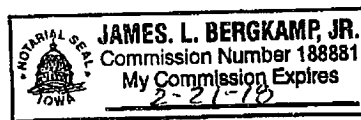

Jeffrey Jon Warren


Doreena Lee Warren

STATE OF IOWA
COUNTY OF DALLAS

This instrument was acknowledged before me on November 18, 2015 by Gene S. Pomeroy and Sherre L. Pomeroy, husband and wife.

James L. Bergkamp, Jr.
James L. Bergkamp, Jr. Notary Public



STATE OF IOWA
COUNTY OF DALLAS

This instrument was acknowledged before me on November 18, 2015 by Jeffrey Jon Warren and Doreena Lee Warren.

James L. Bergkamp, Jr.
James L. Bergkamp, Jr. Notary Public

