

1875

FILED NO.
BOOK 104 PAGE 425

1974 NOV 19 PM 4:43

GRANT OF EASEMENTS

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

KNOW ALL MEN BY THESE PRESENTS:

That for a good and valuable consideration Ralph W. Jordan and Elizabeth A. Jordan, husband and wife, hereinafter named as grantors, do hereby grant and convey unto Russell W. Jacobs and Sandra S. Jacobs, two easements upon a tract of land described as follows:

Commencing at a point 985.9 feet West of the Northeast Corner of Section 2, Township 75 North, Range 28, West of the Fifth P. M., Madison County, Iowa, running thence West 70.1 feet, thence South 163.9 feet, thence East 70.1 feet, thence North 163.9 feet to the place of beginning.

The North 78.9 feet of which constitutes right-of-way of Iowa Highway #92.

The easements hereby granted are for the use and benefit of a tract of land adjacent to the above described real estate and described as follows:

Commencing at a point 814.9 feet West of the Northeast corner of Section 2, Township 75 North, Range 28, West of the Fifth P.M., Madison County, Iowa, running thence West along said Section line a distance of 171 feet, thence South 1700 feet, thence East 171 feet, thence North 1700 feet to the place of beginning, subject to Highway right-of-way.

The easements hereby granted are as follows:

1. A permanent and perpetual, but non-exclusive, easement for the maintenance of a driveway for ingress and egress to and from the tract last described above.
2. A permanent, perpetual and exclusive easement for the use and maintenance of a water well, and electrical lines, water pipes, and other equipment therein, said well now being situated approximately 10 feet South and 20 feet West of the Northeast corner of the tract first described above. Jacobs shall be deemed to be the owners of the equipment in said well. Said well shall be maintained at Jacobs' expense. The cover to be maintained on said well shall not be more than 24 inches high.
3. Respecting the driveway easement created in Paragraph 1 hereof, neither party shall erect or maintain a gate across the entrance of said drive on to the public highway. Jacobs agrees to make application to the Iowa State Highway Commission, on or before January 1, 1975, for a separate driveway entrance. If granted, the easement for driveway created in Paragraph 1 hereof shall terminate.
4. Respecting the easement for water well created in Paragraph 2 hereof, Jacobs may erect a protective fence, no higher than 24 inches, a distance of 2 feet or less around the perimeter of said well site.

Executed this 15th day of November, 1974.

Ralph W. Jordan
Ralph W. Jordan

Russell W. Jacobs
Russell W. Jacobs

Elizabeth A. Jordan
Elizabeth A. Jordan
Grantors

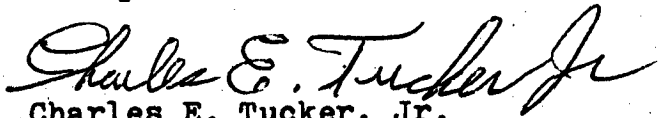
Sandra S. Jacobs
Sandra S. Jacobs
Grantees

STATE OF IOWA

) SS

MADISON COUNTY

On this 15th day of November, 1974, before me, a Notary Public in and for the State of Iowa, personally appeared Ralph W. Jordan, Elizabeth A. Jordan, Russell W. Jacobs and Sandra S. Jacobs, 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.



Charles E. Tucker, Jr.

Notary Public in and for the State
of Iowa