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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

RIGHT OF WAY AND UTILITY EASEMENT
Recorder's Cover Sheet

Preparer Information: (name, address and phone number)

John E. Casper, 223 E. Court Avenue, P.O. Box 67, Winterset, IA 50273-0067
Phone: (515) 462-4912

Taxpayer Information: (name and complete address)

Maurice F. Lynch and Carole A. Lynch, 1651 Upland Trail, Prole, IA 50229

✓ **Return Document To:** (name and complete address)

John E. Casper, 223 E. Court Avenue, P.O. Box 67, Winterset, IA 50273-0067

Grantors:

Jacqueline Goertz

Grantees:

Maurice F. Lynch
Carole A. Lynch

Legal Description: See Page 2

Document or instrument number of previously recorded documents: N/A

RIGHT OF WAY AND UTILITY EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS:

The undersigned owner, Jacqueline Goertz, a Single Person, hereafter called the Grantor, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is acknowledged, does hereby grant to Maurice F. Lynch and Carole A. Lynch, Husband and Wife, hereafter called the Grantees, the non-exclusive, perpetual right and easement to construct, install, repair, maintain, operate, inspect, patrol and remove a private drive right of way, including the right to have utilities with the accessory equipment or all necessary appurtenances as may be reasonably necessary for the convenient construction, repair, maintenance, operation, inspection, patrolling, replacement and removal of this private drive right of way and utilities services over, along, across and under the following described property situated in Madison County, Iowa. This Grant is for the sole, exclusive purpose of allowing the Grantees, their successors and assigns, ingress and egress access, including the installation and maintenance of utility accessories, to the real estate legally described as:

A 30.00 foot wide Access Easement the perimeter of which is described as follows:

Beginning at the County Road right-of-way marker on the Southwest side of Parcel "A"; thence North 01°18'35" West 181.50 feet along the West line of Parcel "A"; thence North 21°20'25" East 77.82 feet; thence South 01°18'35" East 251.28 feet to a point on the County Road right-of-way; thence South 84°47'31" West 30.04 feet to the Point of Beginning.

The Grantor warrants and covenants to the Grantees that, subject to liens and encumbrances of record at the date of this Easement, she is the owner of the above described land and has full right and authority to validly grant this Easement and the Grantees may quietly enjoy their estate in the premises subject to the terms and conditions of this Agreement.

The Grantor reserves to herself, her successors and assigns, the right to use the Easement Area for its intended purposes.

The Grantees own the adjoining Benefitted Property which is legally described as:

The Southeast Quarter (¼) of the Northeast Quarter (¼) of Section Three (3), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, except Parcel "A" located in the Southeast Quarter (¼) of the Northeast Quarter (¼) of Section Three (3), Township Seventy-six (76) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, containing 3.276 acres, as shown in Amended Plat of Survey filed in Book 2005, Page 4784 on October 4, 2005, in the Office of the Recorder of Madison County, Iowa.

The Grantees shall have the right of access to the Easement Area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Area described above including, but not limited to, the right to remove any obstructions or structures placed or erected on the Easement Area which are incompatible with the use of the Easement Area.

In consideration of such Grant, the Grantees shall have the right to install, maintain, and replace a drive right of way including the surfacing of the traveled portion thereof and the draining of surface water flows. The Grantees shall comply with all federal, state and local rules and regulations governing the construction and maintenance of such improvements. The Grantor covenants that no act will be permitted within the Easement Area which is inconsistent with the rights hereby granted.

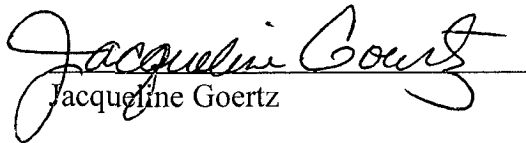
This Grant shall not limit the Grantor's right of access to or the use of any publicly or privately owned utilities within or near the Easement Area or the Grantor's right to install and maintain at Grantor's cost any private utilities within or near the Easement Area so long as such installation or maintenance does not unreasonably interfere with the Grantees' rights under this Easement Agreement.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share, if any, in and to the interests conveyed by this Easement Agreement.

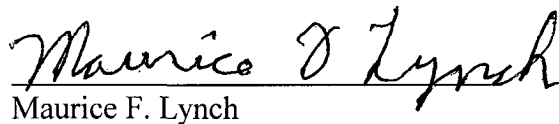
This Agreement shall run with the land and bind and inure to the benefit of the heirs, successors and assigns of the parties.

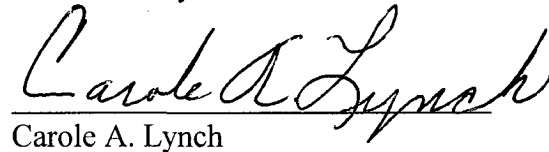
Dated this 10 day of June, 2016.

GRANTOR:


Jacqueline Goertz

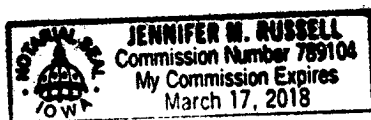
GRANTEES:

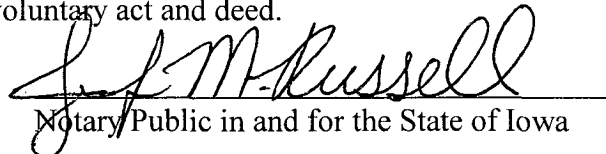

Maurice F. Lynch


Carole A. Lynch

STATE OF IOWA)
) ss
MADISON COUNTY)

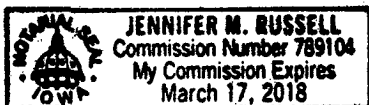
On this 10th day of June, 2016, before me, the undersigned a Notary Public in and for said County and State, personally appeared, Jacqueline Goertz, to me personally known to be the identical person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

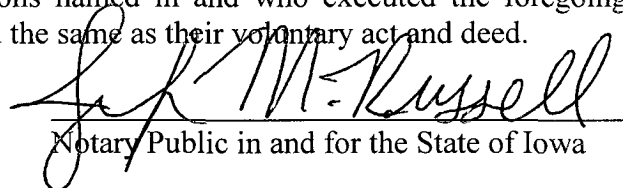



Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss
MADISON COUNTY)

On this 10th day of June, 2016, before me, the undersigned a Notary Public in and for said County and State, personally appeared Maurice F. Lynch and Carole A. Lynch, 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