

FILED NO. 591
BOOK 100 PAGE 386
1972 APR 25 AM 10:30

MARY E. WELTY
RECORDER 3pg
MADISON COUNTY, IOWA
Sec 6 50

EASEMENT CONVEYANCE

This easement, made this 21st day of April, 1972, by
and between DEAN B. ECKLES and EVELYN L. ECKLES, husband and wife,
and DENNIS DEAN ECKLES and LINDA ECKLES, husband and wife, all as
Parties of the First Part, and ROGER G. LANDWEHR and MARY E. LANDWEHR,
husband and wife, parties of the Second Part, WITNESSETH:

WHEREAS, First Parties are the owners of the Southwest Quarter (SW $\frac{1}{4}$)
of the Northwest Quarter (NW $\frac{1}{4}$) and the Northwest Quarter (NW $\frac{1}{4}$) of the South-
west Quarter (SW $\frac{1}{4}$) of Section Thirty-two (32), and the East Half (E $\frac{1}{2}$) of the
Northeast Quarter (NE $\frac{1}{4}$) of Southeast Quarter (SE $\frac{1}{4}$) of Section Thirty-one (31),
all in Township Seventy-six (76) North, Range Twenty-nine (29) West of the
5th P. M., Madison County, Iowa, and

WHEREAS, Second Parties are the owners of the Southeast Quarter
(SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section Thirty-one (31), Township
Seventy-six (76) North, Range Twenty-nine (29) West of the 5th P. M., Madison
County, Iowa, and

WHEREAS, Second Parties propose to build an erosion control structure
on property of Second Parties as described above and it is contemplated that
certain temporary and permanent water will encroach on property owned by
First Parties as described above as a result of such construction.

NOW, THEREFORE, IN CONSIDERATION of the sum of One Dollar
(\$1.00) to First Party in hand paid, the receipt of which is hereby acknowledged,
and in consideration of the mutual promises and agreements of the parties hereto
IT IS AGREED as follows:

1. First Parties do by these presents, give, grant, and convey unto

IND. ✓
REC. ✓
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Second Parties, their heirs and assigns, the right to store temporary and permanent water resulting from the erosion control structure on the land of First Parties above described property.

2. Second Parties shall, at their expense, construct and maintain a hog tight fence immediately above the high water mark around the entire area of the impounded water.

3. First Parties shall have the right to have a stock tank installed so that the same will be supplied with water from the impounded water and have access thereto so that their cattle may obtain water from such tank. First Parties will furnish the tank, but the Second Parties will maintain at their cost the pipeline thereto and the fence in connection therewith and maintain the pipeline so that water will be available to such stock tank.

The easement created hereby shall be a covenant running with the land and shall be binding upon the undersigned parties, upon their heirs and assigns.

IN WITNESS WHEREOF the parties hereto have set their hands this

____ day of April, 1972.

Dean B. Eckles
Dean B. Eckles

Evelyn L. Eckles
Evelyn L. Eckles

Dennis Dean Eckles
Dennis Dean Eckles

Linda Eckles
Linda Eckles

FIRST PARTIES

Roger G. Landwehr
Roger G. Landwehr

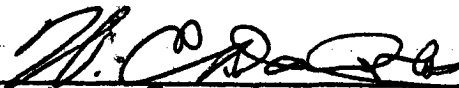
Mary E. Landwehr
Mary E. Landwehr

SECOND PARTIES

STATE OF IOWA)
)
 COUNTY OF ADAIR)

ss.

On this 18th day of April, 1972, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Dean B. Eckles and Evelyn L. Eckles, husband and wife, and Dennis Dean Eckles and Linda Eckles, husband and wife, to me known to be the identical persons named in and who executed the foregoing Easement Conveyance, and acknowledged that they executed the same as their voluntary act and deed.



W. E. Don Carlos, Notary Public in
and for the State of Iowa.

STATE OF IOWA)
)
 COUNTY OF POLK)

ss.

On this 21st day of April, 1972, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Roger G. Landwehr and Mary E. Landwehr, husband and wife, to me known to be the identical persons named in and who executed the foregoing Easement Conveyance, and acknowledged that they executed the same as their voluntary act and deed.




Edith Cebuhar, Notary Public in
and for the State of Iowa.