



Document 2018 3517

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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

✓ This Affidavit prepared by and return to:

Joseph K. Strong, P. O. Box 215, Indianola, IA 50125 (515) 961-2574

Elgin Patin + Strong PLLC

RELEASE OF EASEMENT

On or about July 18, 1994, Kiernan Farms Ltd. transferred to George S. Sperry the following described property:

Parcel "B" located in the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of Section Twenty-four (24), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa. (Hereinafter referred to as Parcel "B")

by Warranty Deed recorded in Book 133, Page 204, Office of the Madison County Recorder. Said Deed sets forth "an easement over and across the Grantor's remaining property for the use of the well located on said property" (hereinafter referred to as "Easement").

The "remaining property" as described in said Deed is as follows:
The East Half (E 1/2) of the Southeast Quarter (SE 1/4) and the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty-four (24), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa; EXCEPT Parcel "B" located in the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section Twenty-four (24), containing 19.51 acres, as shown in Plat of Survey filed in Book 2, Page 480 on July 5, 1994 in the Office of the Recorder of Madison County, Iowa. (Hereinafter referred to as "Remaining Property").

Parcel "B" has since been divided into Parcel "G" of the Southeast Quarter of the Southeast Quarter of Section Twenty-four (24), Township Seventy-seven (77) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, which is currently

owned by John Tomlinson and Janet Tomlinson, with the remainder of Parcel "B" being owned by Badger Creek Land Co, LLC.

The current owner of the Remaining Property is Four Seasons Auto Wash, L.L.C. by virtue of a Warranty Deed dated November 17, 2014 and recorded in Book 2014, Page 2955, Office of the Madison County Recorder.

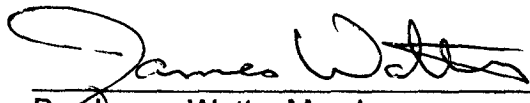
The Seasons Auto Wash, L.L.C., John Tomlinson and Janet Tomlinson, husband and wife, and Badger Creek Land Co, LLC, as titleholders of the dominant and servient estates with and to said Easement, do hereby mutually agree and covenant that said Easement shall be forever released, vacated and terminated, and that Four Seasons Auto Wash, L.L.C., and it's principal owner, Jim Watts, shall be authorized to permanently fill in the well that is the subject of said Easement. John Tomlinson and Janet Tomlinson and Badger Creek Land Co, LLC, by executing this document, hereby understand and agree that they are releasing any right or privilege to enter on to the Remaining Property and to access or otherwise utilize the well thereon.

Dated this 18th day of October, 2018.

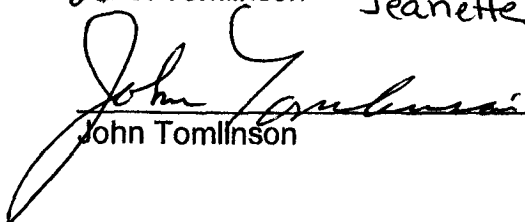
Badger Creek Land Co, LLC


By: Rachel Totel, Manager

Four Seasons Auto Wash, L.L.C.


By: James Watts, Member


~~Janet Tomlinson~~ Jeanette Tomlinson


John Tomlinson

STATE OF IOWA :
: SS
COUNTY OF WARREN :

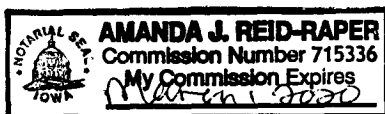
On this 23rd day of October, 2018, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Jim Watts to me personally known, who being by me duly sworn, did say that he is a Member of the company executing the within and foregoing instrument, that no seal has been procured by the company; that said instrument was signed on behalf of the company; and that he is duly authorized to sign this document on behalf of said Company.

Tricia Jordan
Notary Public in the State of Iowa

STATE OF IOWA :
: SS.
COUNTY OF Warren :



On this 24th day of October, 2018, before me, the undersigned, a Notary Public in and for said county and said state, personally appeared John Tomlinson and ~~Janet Tomlinson~~ ^{Jeannette}, 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.



[Signature]
Notary Public in the State of Iowa

STATE OF IOWA :
: SS
COUNTY OF Polk :

On this 18 day of October, 2018, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Rachel Totel to me personally known, who being by me duly sworn, did say that she is a Manager of the company executing the within and foregoing instrument, that no seal has been procured by the company; that said instrument was signed on behalf of the company; and that she is duly authorized to sign this document on behalf of said Company.

Deborah Hudson
Notary Public in the State of Iowa

