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Instrument #: 2018-1426  
07/18/2018 04:23:03 PM Total Pages: 2  
EAB EASEMENT AMEND  
Recording Fee: \$12.00 Transfer Tax: \$0  
Denise Meeves, Recorder, Crawford County Iowa



Prepared By: Patrick J Sullivan 1246 Golden gate Dr Switz Papillion, Ne 68046 402-339-9550  
**AMENDED & RESTATED EASEMENT**

This Amended & Restated Easement made on the date herein after set forth by the undersigned, hereinafter referred to as "Grantor" is made to amend and restate the Easement ("Original Easement") recorded on March 2, 2018 as Instrument No. 2018-0482, Records of Crawford County, Iowa.

#### RECITALS

A. On March 2, 2018, a document entitled Easement Agreement (hereinafter the "Easement") was recorded by Grantor in the office of the Recorder of Crawford County, Iowa as Instrument No. 2018-0482.

B. Grantor desires to Amend and Restate the Easement to clarify the legal description of said Easement.

NOW THEREFORE, Grantor hereby declares that the Easement recorded on March 2, 2108 in the office of the Recorder of Crawford County, Iowa as Instrument No. 2018-0482 should be and hereby is amended and restated as follows:

IN CONSIDERATION OF One dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Self Storage Company of Iowa, L.L.C., an Iowa Limited Liability Company, Grantor, hereby grants to BNC Properties, LLC, Grantee, the following Easement:

An easement to use, inspect, repair and maintain the private storm water sewer located on the following described real estate:

Lot 1 of the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section Twelve (12), Township Eighty-three (83) North, Range Thirty-Nine (39) West of the 5<sup>th</sup> P.M., in the City of Denison, Crawford County, Iowa

Said easement is depicted and described on the Plat of Survey recorded February 7, 2018 as Instrument No. 2018-0319 of the Records of Crawford County, Iowa. If any terms and provisions contained within the easement differ from the Plat of Survey, the Plat of Survey shall prevail and supercede the Easement.

Said easement shall include the right of ingress and egress over the aforesaid real estate in favor of Grantee for any purpose related to the use, inspection, repair or maintenance of said private storm water sewer.

Grantor shall be responsible for any and all maintenance of the aforesaid private storm water sewer located on the aforesaid real estate except that Grantee shall be responsible for damages caused by Grantee or its tenants or other assigns.

This easement shall be a permanent easement and shall be deemed appurtenant to and run with the following described real estate:

Lot 2 of the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section Twelve (12), Township Eighty-three (83) North, Range Thirty-nine (39) West of the 5<sup>th</sup> P.M., in the City of Denison, Crawford County, Iowa

Dated this 18<sup>th</sup> day of July 2018.

Self Storage Company of Iowa, L.L.C.

By: *Brad J. Reischl*  
Brad J. Reischl, Grantor

BNC Properties, LLC

By: *Brad J. Reischl*  
Brad J. Reischl, Grantee

STATE OF IOWA

CRAWFORD COUNTY, ss:

On this 18<sup>th</sup> day of July 2018, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Brad J. Reischl, to me personally known, who being by me duly sworn did way that he is the Manager of BNC Properties, LLC, that no seal has been procured by the said Limited Liability Company and that said instrument was signed on behalf of the said Limited Liability Company by authority of its Members and the said Manager acknowledged the execution of said instrument to be the voluntary act and deed of said Limited Liability Company by it and by him voluntarily executed.

*Lauri J. Schoenfeld*  
Notary Public

STATE OF IOWA

CRAWFORD COUNTY, ss:

On this 18<sup>th</sup> day of July 2018, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Brad J. Reischl, to me personally known, who being by me duly sworn did way that he is the Manager of Self Storage Company of Iowa, L.L.C., that no seal has been procured by the said Limited Liability Company and that said instrument was signed on behalf of the said Limited Liability Company by authority of its Members and the said Manager acknowledged the execution of said instrument to be the voluntary act and deed of said Limited Liability Company by it and by him voluntarily executed.

*Lauri J. Schoenfeld*  
Notary Public

