

Fee 10

STATE OF IOWA, Polk County
Filed for record the 19 day of Oct
1912 at 8:00 o'clock A M and recorded
in book 93 page 11030
John Sciortino
By _____ Recorded _____

EASEMENT AGREEMENT

IT IS AGREED on this 14th day of October, 1992, between Johnnie D. Schlueter, hereinafter referred to as "John," and Emma Rohrs Boehler, a single person, hereinafter referred to as "Emma," that John owns a parcel of real estate described as:

"A tract of land located in the NW1/4 of Section 4, Township 77 North, Range 40 West of the 5th P.M., Pottawattamie County, Iowa, more particularly described as follows:
Commencing at the North Quarter corner of said Section 4, thence South 00 degrees 00' West (assumed bearing) along the East line of the NW1/4 of said Section 4, a distance of 1,775.3 feet; thence South 90 degrees 00' West, a distance of 70.0 feet to the Point of Beginning, said point being on the West right-of-way line of the Iowa Highway No. 168; thence South 00 degrees 00' West along the West right-of-way line of said Hwy. No. 168, a distance of 95.00 feet; thence South 05 degrees 37' 00" West along the Westerly right-of-way line of said Hwy. No. 168 a distance of 200.97 feet to a point on the Northerly right-of-way line of Interstate Hwy. No. 80; thence South 44 degrees 59' 20" West along the Northerly right-of-way line of said Interstate Hwy. No. 80, a distance of 174.47 feet; thence South 72 degrees 07' West along the Northerly right-of-way line of said Interstate Hwy. 80 a distance of 49.27 feet; thence North 00 degrees 00' East a distance of 433.56 feet; thence North 90 degrees 00' East a distance of 190.00 feet to the point of beginning."

That Emma owns the balance of the Northwest Quarter of Section 4, Township 77 North, Range 40 West of the 5th P.M., Pottawattamie County, Iowa.

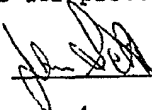
That for good and valuable consideration, Emma grants to Johnnie, his heirs, devisees, legatees and assignees an easement to a strip of land 100 foot wide which lays adjacent to and contiguous with the West boundary line of Johnnie's land.

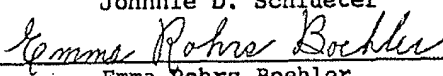
It is agreed Emma, her heirs, devisees and assigns for a period of 40 years from the date of this instrument will not construct any buildings within this 100 foot easement. It is agreed by Johnnie this does not mean the property cannot be farmed nor that Emma, her assigns, devisees, legatees, etc., are any way precluded from using the property except they shall not be allowed to build any buildings within the area.

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COMPARED

It is understood by Emma that the purpose of this easement is to allow Johnnie to construct on his premises upright gas tanks, and the purpose of the easement is for protection.



Johnnie D. Schlueter


Emma Rohrs Boehler

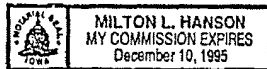
STATE OF IOWA

COUNTY OF Shelby, ss.

On this 14th day of October, 1992, before me, the undersigned, a notary public in and for the State of Iowa, personally appeared Johnnie D. Schlueter and Emma Rohrs Boehler, to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



Notary Public



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