

EASEMENT FOR CATTLE WALKWAY AND INGRESS AND EGRESS

COMES NOW, Erven W. Weiss, Jr. and Lu Nelle Weiss, husband and wife, and state the following:

WHEREAS, they are the record title owners of the following described land situated in Osage County, Kansas, to-wit:

The Northwest $\frac{1}{4}$ of Section 3, Township 17 South, Range 16 East of the 6th P.M., in Osage County, Kansas.

WHEREAS, Paul Brecheisen and Dollie F. Brecheisen, Trustees, under The Brecheisen Family Living Trust dated February 17, 2010 is the record title owner of the following described land situated in Osage County, Kansas, to-wit:

All that part of the Northeast $\frac{1}{4}$ of Section 3, Township 17 South, Range 16 East of the 6th P.M., lying South of Salt Creek, in Osage County, Kansas.

WHEREAS, Erven W. Weiss, Jr. and Lu Nelle Weiss, husband and wife, will grant an easement for the existing cattle walkway and ingress-egress lane over and across the following described land owned by the said Erven W. Weiss, Jr. and Lu Nelle Weiss.

A triangular tract in the Southeast corner of Northwest $\frac{1}{4}$ of Section 3, Township 17 South, Range 16 East of the 6th P.M., in Osage County, Kansas formed by the opening of the existing swinging gates attached to the corner post at the South end of the line fence between the Northwest $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of said Section 3 and the swinging gate attached to the corner post at the East end of the line fence between the Northwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of said Section 3. The gates swing open to the Southwest and to the Northeast and when joined form the triangular tract which comprises the easement area.

NOW THEREFORE, Erven W. Weiss, Jr. and Lu Nelle Weiss, husband and wife, for good and valuable consideration, the receipt of which is hereby acknowledged, do hereby grant an easement for the existing cattle walkway and ingress-egress lane over and across the following described land owned by the said Erven W. Weiss, Jr. and Lu Nelle Weiss.

A triangular tract in the Southeast corner of Northwest $\frac{1}{4}$ of Section 3, Township 17 South, Range 16 East of the 6th P.M., in Osage County, Kansas formed by the opening of the existing swinging gates attached to corner post at the South end of the line fence between the Northwest $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of said Section 3 and the swinging gate attached to the corner post at the East end of the line fence between the Northwest $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of said Section 3. The gates swing open to the Southwest and to the Northeast and when joined form the triangular tract which comprises the easement area.

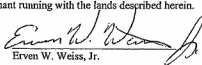
FOR THE BENEFIT OF THE PROPERTY DESCRIBED AS FOLLOWS:

All that part of the Northeast $\frac{1}{4}$ of Section 3, Township 17 South, Range 16 East of the 6th P.M., lying South of the center line of Salt Creek, in Osage County, Kansas.

IT IS FURTHER UNDERSTOOD AND AGREED that this easement is granted with the express conditions that Paul Brecheisen and Dollie F. Brecheisen, Trustees, under The Brecheisen Family Living Trust dated February 17, 2010, their heirs, successors and or assigns shall be responsible for all costs for installation, maintenance and repairs as may be needed for their use of the existing cattle walkway and ingress egress easement and that Erven W. Weiss, Jr. and Lu Nelle Weiss, husband and wife, their

successors and or assigns shall not be responsible for any installation, maintenance or repairs for the use of said easement nor shall they have any liability for the use of said easement by Paul Brecheisen and Dollie F. Brecheisen, Trustees, under The Brecheisen Family Living Trust dated February 17, 2010, their heirs, successors and or assigns.

IT IS FURTHER UNDERSTOOD AND AGREED that this grant of an easement agreement for the existing cattle walkway and ingress egress easement over and across the land shall inure to and bind the heirs, executors, administrators, successors and assigns of the parties hereto and shall constitute a covenant running with the lands described herein.


Erven W. Weiss, Jr.

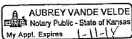

Lu Nelle Weiss

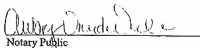
ACKNOWLEDGMENT

STATE OF KANSAS,
COUNTY OF OSAGE, SS:

BE IT REMEMBERED that on this 19th day of March, 2015, before me, the undersigned, a Notary Public in and for the County and State aforesaid, personally appeared, Erven W. Weiss, Jr. and Lu Nelle Weiss, husband and wife, to me personally known to be the same persons who executed the above and foregoing instrument of writing, and duly acknowledged the execution of the same.

IN TESTIMONY WHEREOF, I have hereunto subscribed my hand and Notarial Seal on the day and year last above written.




Notary Public

My appointment expires: _____

ORIGINAL COMPARED WITH RECORD



STATE OF KANSAS, OSAGE COUNTY, SS
LINDA L. MASSEY, REGISTER OF DEEDS

Book: N40 Page: 413

Receipt #: 60842 Recording Fee: \$12.00
Pages Recorded: 2 Heritage Trust Fund: \$2.00
Clerk Technology Fund: \$1.00
Technology Fund2: \$4.00
Treasurer Technology Fund: \$1.00

Date Recorded: 3/20/2015 2:50:00 PM

12/11/09