

Deed Record, No. 67, Fremont County, Iowa

#94 Fee \$4.50 Filed for record January 26, 1972 at 11:55 a.m. Vernon C. Marshall, Recorder
M.L. Marshall, Deputy

EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That for the sum of One Dollar (\$1.00) and Other Valuable Consideration, receipt of which is hereby acknowledged, Payne Valley Farms, Inc., "Grantor", hereby grants and conveys to Keith G. Penney, Wendell C. Penney and Richard D. Silcox, "Grantees", and their successors in interest as owners of the following described real estate, situated in Fremont County, Iowa, to-wit:

That part of the Southwest Quarter of Section 32, Township 69 North,
Range 43 West of the 5th P.M. lying West of Interstate Highway #29,

an Easement for ingress and egress to and from said tract from the public highway to the South across lands of the Grantor.

Said Easement defined as follows: An Easement or right-of-way 20 feet in width commencing at the public road on the boundary between Section 7, Township 68 North, Range 43, West of the 5th P.M., and Section 12, Township 68 North, Range 44 West of the 5th P.M., thence North upon said boundary to the North line of the Sections, thence East along the North line of said Section 7-68-43 a sufficient distance to provide adequate entry to the tract first above described,

is subject to the following limitations:

1. Such access is granted for the purpose of farming operations on the Grantees' tract.
2. Said Easement shall constitute an appurtenance to the tract of the Grantees but the acquisition of the premises by the owner of adjacent land with highway access shall extinguish same as shall adequate highway access achieved in any other manner or a non-user thereof for a period of ten years. Extinguishment shall effect a complete reversion to Grantor or its successors in the ownership of the burdened estate.
3. Grantees acquire no rights hereunder to fence the access route or obstruct same in any manner nor shall their use thereof in any way interfere with travel upon or across the same by Grantor, its successors and its or their tenants, agents, employees or invitees.
4. Grantees shall neither ditch, grade nor fill upon said travelway or otherwise alter the surface thereof without consent of Grantor.

DATED this 21st day of January, 1971.

ATTEST: M. M. Payne III
M. M. Payne, III, Secretary

(No Corp)
seal

PAYNE VALLEY FARMS, INC.
By s/ Dorothy S. Payne, President
D. S. Payne.

STATE OF IOWA
FREMONT COUNTY: ss.

On this 21 day of January, 1971, before me, the undersigned, a Notary Public in and for said State of Iowa, personally appeared D. S. Payne and M. M. Payne III, to me personally known, who being by me duly sworn, did say that they are the President and Secretary respectively, of said corporation executing the within and foregoing instrument, that the seal affixed thereto is the seal of said corporation; that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors; and that the said D. S. Payne and M. M. Payne III as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

(Notary Seal)

s/ Kathryn Dalton (Kathryn Dalton)
Notary Public in and for the State
of Iowa.