

INST # ✓ 24538
RECORDING FEE 10.00
AUDITOR FEE _____
RMA FEE 1.00 ECOM 1.00

COMPARED

FILED FOR RECORD
POTTAWATTAMIE COUNTY

2005 JUN 29 AM 9:05

JOHN SCIORTINO
RECORDER

Prepared by: Lori L. Falk-Goss, 222 South Sixth Street, Council Bluffs, IA 51501 712-322-2002

ENTRANCE AND DRIVEWAY EASEMENT AND AGREEMENT

WHEREAS Brian and Shelia Bentley, husband and wife, are the current owners of the following described real estate located in Pottawattamie County, to wit :

Southwest Quarter Southeast Quarter (SW1/4 SE1/4) Section 32, Township 74, Range 40,

And Whereas, John Bruce Bentley and Ruby Bentley, husband and wife, are the owner's of the following real property:

Northwest Quarter Southeast Quarter (NW1/4 SE1/4) Section 32, Township 74, Range 40

And Whereas, the aforementioned parties wish to form an agreement consisting of a perpetual easement for ingress and egress to the properties mentioned herein *and* an agreement of maintenance between the parties; and

Now, Therefore, Brian and Shelia Bentley, as the owners of the Southwest Quarter Southeast Quarter, and for and consideration of the sum of One Dollar (\$1.00) and other valuable consideration, receipt of which is hereby acknowledged, hereby grant and convey a perpetual easement to the establish driveway from the county road, Applewood, and obtain access to the Northwest Quarter Southeast Quarter through the access granted in and through the Southwest Southeast Section of said Quarter. Said easement is more fully described as follows:

An easement for the purpose of ingress and egress located in part of the Southwest Quarter Southeast Quarter (SW1/2 SE1/4) of Section 32, Township 74, Range 40, Pottawattamie County, Iowa, said easement being more fully described as follows:

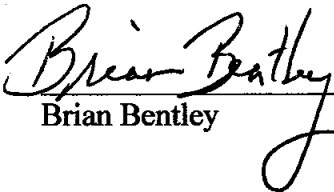
Commencing at the now established entrance from the county road Applewood a twenty-five (25) foot wide strip along the east side going north to the quarter section line thence west to the back quarter a twenty-five (25) foot wide strip.

Additionally, for consideration received, the parties agree to maintain the drive in equal portions. It is understood that said easement is solely for the purpose of entry via a driveway. Brian and Shelia Bentley and John Bruce and Ruby Bentley and the perpetual

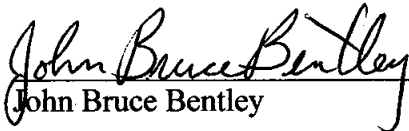
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parties in interest shall assume any and all costs associated with the establishment and maintenance of said driveway. Said maintenance cost shall be shared equally between the parties. All unpaid maintenance costs shall constitute a lien against said properties.

Additionally, it is further agreed between the parties hereto that this agreement shall be binding upon them, their grantees, executors, administrators, heirs, devisees, successors, or assigns and shall constitute and be construed as an easement and driveway running with the said real estate.


Brian Bentley


Shelia Bentley


John Bruce Bentley

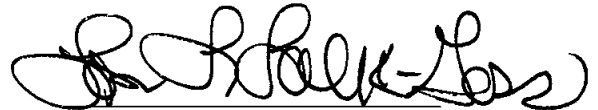

Ruby Bentley

STATE OF IOWA

COUNTY OF POTTAWATTAMIE

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) SS:
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On this 17th day of June, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Brian Bentley, Shelia Bentley, husband and wife, and John Bruce Bentley and Ruby Bentley, husband and wife, 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.



NOTARY PUBLIC IN AND FOR
SAID COUNTY AND STATE

