WATER AGREEMENT

WHEREAS: Randy G. Gericke and Mary Kay Gericke, husband and wife, hereinafter referred to as Grantors, own the following described real estate:

East Half (E½) of the Northeast Quarter (NE¼) of Section Twelve (12), Township Eighty-nine (89) North, Range Seven (7), West of the Fifth P.M., Buchanan County, Iowa;

and:

WHEREAS: Charles R. Shane and Vivian M. Shane, husband and wife, hereinafter referred to as Grantees, own the following described real estate:

Northwest Fractional Quarter (NW FR¼) of Section Seven (7), Township Eighty-nine (89) North, Range Six (6), West of the Fifth P.M., Delaware County, Iowa;

and:

WHEREAS: Grantees desire the use of the well water from the well on Grantors' land and Grantors are agreeable to this desire,

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

1. Grantors hereby give Grantees the right to take water from the well on Grantors' land for use by Grantees for normal domestic and farm purposes.

2. Grantees shall stand the expense of making the hook-up to Grantors' well including, but not exclusive of all piping, hook-up costs and labor for such.

3. Thereafter, Grantees shall be responsible for maintenance and care for all piping from the edge of Grantors' land to place of use on Grantees' property.

4. Grantors shall be responsible for the care and maintenance of all piping, pump, and the well, itself, located on Grantors' land.

5. Grantees shall pay to Grantors the sum of $10.00 per month for said use, commencing January 1, 1990. This agreement shall be effective for a period of ten years or until Grantees cease use, whichever occurs earliest. At the end of the ten year period, the terms hereunder are subject to renegotiation.

6. This agreement is to be binding on all heirs, successors and assigns of the parties hereto and shall run with the land.

7. This agreement incorporates and confirms the prior oral agreement by and between the parties hereto which was effective January 1, 1990.

Dated this 1st day of March, 1990.

GRANTEES

Charles R. Shane
Charles R. Shane

Vivian M. Shane
Vivian M. Shane

GRANTORS

Randy G. Gericke
Randy G. Gericke

Mary Kay Gericke
Mary Kay Gericke

FILE No. 9-2511
RECORDING FEE $ 10.00
TRANSFER FEE $

FILED FOR RECORD THE 27 DAY OF April, 19 90 AT 9:37 O'CLOCK A. M. BOOK 1 PAGE 257

STATE OF IOWA, DELAWARE COUNTY
Joan Sheppard, Recorder
Misc.

STATE OF IOWA, DELAWARE COUNTY, ss:

On this 1st day of March, A.D., 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Charles R. Shane and Vivian M. Shane, 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.

David C. Tracey

David C. Tracey Notary Public in and for the State of Iowa.

STATE OF IOWA, DEALWARE COUNTY, ss:

On this 20th day of April, A.D., 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared ~~Randy G~~ Mary Kay Gericke, to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledted that she executed the same as her voluntary act and deed.

William C Francois

William C Francois Notary Public in and for the State of Iowa.

STATE OF IOWA, DELAWARE COUNTY, ss:

On this 25th day of April, A.D., 1990, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Randy G. Gericke, to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Deanne A. Anderson

Deanne A. Anderson Notary Public in and for the State of Iowa.

GEANNE A. ANDERSON
MY COMMISSION EXPIRES
11-10-92