DRAINAGE AGREEMENT

WHEREAS GERALD R. AND LINDA L. MCCUSKER ARE OWNERS OF THE WEST FIFTY (50) ACRES OF THE NORTH HALF OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION FOUR (4), TOWNSHIP EIGHTY-SEVEN NORTH (T87N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDAN, DELAWARE COUNTY, IOWA, AND

WHEREAS PAUL F AND ARLENE G. LOECKE ARE OWNERS OF THE NORTH ONE-HALF (N 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION FOUR (4), TOWNSHIP EIGHTY-SEVEN NORTH (T87N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, EXCEPT THE WEST FIFTY (50.0) ACRES THEREOF; AND

WHEREAS DAVID J. AND DEANNE M. LOECKE ARE OWNERS OF THE SOUTH ONE-HALF (S 1/2) OF THE SOUTHWEST QUARTER (SW 1/4) OF SECTION FOUR (4), TOWNSHIP EIGHTY-SEVEN NORTH (T87N), RANGE SIX WEST (R6W) OF THE FIFTH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, AND

WHEREAS, ALL PARTIES WISH TO MAKE A MATTER OF RECORD, THIS MUTUAL AGREEMENT FOR MAINTENANCE OF THE PRESENT TILE DRAINAGE SYSTEM WHICH WAS INSTALLED AS ONE COMMON TILE DRAINAGE SYSTEM, AS INDICATED ON THE ATTACHED MAP, TO PROVIDE AN OUTLET FOR EXISTING AND PROPOSED SUB SURFACE DRAINAGE.

NOW THEREFORE, IT IS AGREED BY ALL PARTIES:

1. EACH AGREES TO ASSUME FULL RESPONSIBILITY FOR FUTURE MAINTENANCE AND REPAIR OF THE PART OF THIS COMMON TILE DRAINAGE SYSTEM WHICH IS LOCATED ON HIS PROPERTY, AND

2. EACH WILL INSTALL AND MAINTAIN THEIR OWN DRAINAGE SYSTEMS IN SUCH A MANNER AS TO NOT ADVERSELY AFFECT THE PROPER OPERATION OF THIS COMMON TILE DRAINAGE SYSTEM; WILL PROMPTLY REPAIR BROKEN OR DAMAGED DRAINS, AND WILL REMOVE OR PREVENT REGROWTH OF BRUSH OR TREES WITHIN 75 FEET OF MUTUAL TILE LINES, AND

3. EACH IS GRANTED THE RIGHT TO MAKE EXTENSIONS OR ADDITIONS AS HE MAY IN THE FUTURE DESIRE, AND

4. IT IS THE INTENT OF ALL PARTIES THAT THE RIGHTS AND RESPONSIBILITIES OUTLINED HEREIN WILL RUN WITH THE LAND AND ACCRUE TO ANY SUCCESSOR IN OWNERSHIP.

Gerald R McCusker — GERALD R. MCCUSKER

Linda L. McCusker — LINDA L. MCCUSKER

SUBSCRIBED AND SWORN TO BEFORE ME BY GERALD R. MCCUSKER AND LINDA L. MCCUSKER THIS 14 DAY OF June, 1991.

Kenneth W Hark

KENNETH W. HARDER
MY COMMISSION EXPIRES
May 8, 1994

NOTARY PUBLIC IN AND FOR THE STATE OF IOWA.

Paul F. Loecke — PAUL F. LOECKE

Arlene G. Loecke — ARLENE G. LOECKE

SUBSCRIBED AND SWORN TO BEFORE ME BY PAUL F. LOECKE AND ARLENE G. LOECKE THIS 9th DAY OF May, 1991.

Robin DeFlice

NOTARY PUBLIC

ROBIN DeFLICE
NOTARY PUBLIC OF NEW JERSEY
My Commission Expires May 11, 1994

David J. Loecke — DAVID J. LOECKE

Deanne M. Loecke — DEANNE M. LOECKE

SUBSCRIBED AND SWORN TO BEFORE ME BY DAVID J. LOECKE AND DEANNE M. LOECKE THIS 17 DAY OF June, 1991.

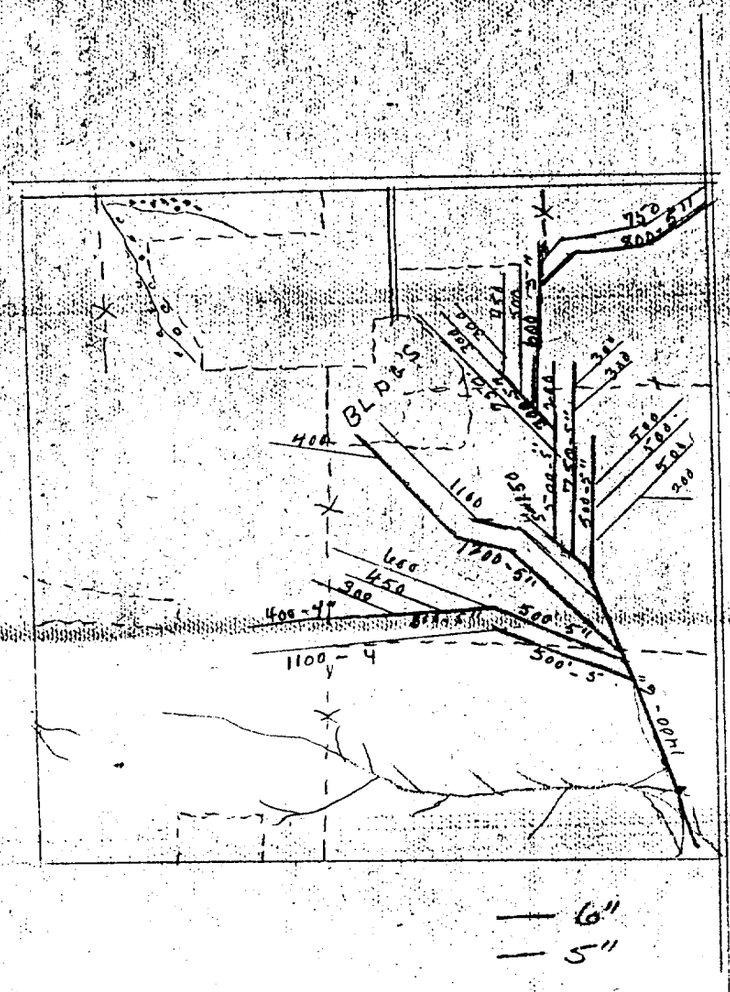
Thomas J. Hanson

Thomas J. Hanson

NOTARY PUBLIC IN AND FOR THE STATE OF IOWA.

FILE No. 105-3066	FILED FOR RECORD THE 20 DAY OF June, 19 91 AT 1:01 O'CLOCK P. M. BOOK 2 PAGE 185	STATE OF IOWA, DELAWARE COUNTY Joan Sheppard, Recorder
RECORDING FEE $ 10.00		Misc.
TRANSFER FEE $		

BERNARD LOECKE



1400 — 6"

6150 — 5"

9850 — 4"

6 — 5 ON 6 Y's
1 — 6 ON 6 Y's
1 — 4 ON 6 Y's
14 — 4 ON 5 Y's
3 — 5 ON 5 Y's
2 — 4 ON 4 Y's