AGREEMENT

In consideration of mutual benefit, the undersigned, Mark D. Smith and Mary Smith, hereinafter referred to as First Party and Joe Pasker and Dana Pasker, hereinafter referred to as Second Party agree as follows:

1. First Party owns the following described real estate:

Lots Twenty Five (25) and Twenty Six (26), Block Four (4), Sunnyside Addition to Manchester, Iowa

2. Second Party owns real estate adjoining the property of First Party lying to the North.

3. First Party has a chain link fence approximately 40 feet in width running generally along the middle of the two adjoining properties. It has been determined that this chain link fence is a few inches over on to the property of Second Party.

4. Second Parties herewith agree they will hold First Parties totally harmless from any and all matters or liability of every kind or nature which might arise as a result of the slight encroachment of the fence on to the property of Second Parties.

Dated this 8th day of January, 1994.

Mark Smith
Mark Smith AKA Mark D. Smith

Joe Pasker
Joe Pasker

Mary E. Smith
Mary Smith AKA Mary E. Smith
FIRST PARTIES

Dana Pasker
Dana Pasker
SECOND PARTIES

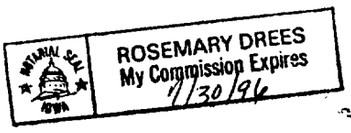
FILE No. 1-2141
RECORDING FEE $11.00
TRANSFER FEE $

FILED FOR RECORD THE 10 DAY OF January, 1994 AT 2:44 O'CLOCK P M. BOOK 4 PAGE 149

STATE OF IOWA, DELAWARE COUNTY
Deborah L. Peyton, Recorder
Misc.

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

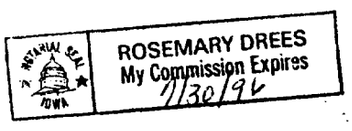
On this 8th day of January, 1994 before the undersigned, a Notary Public in and for the State of Iowa, personally appeared Mark D. Smith and Mary State, husband and wife to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.



Rosemary Drees
_____, Notary Public in and for the State of Iowa.

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

On this 8th day of January, 1994 before the undersigned, a Notary Public in and for the State of Iowa, personally appeared Joe Pasker and Dana Pasker, husband 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.



Rosemary Drees
_____, Notary Public in and for the State of Iowa.