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Prepared By: Martin F. Butschi for CSB; 201 E Main St; Manchester IA 52057 (319)927-4014

RELEASE OF RESTRICTIVE COVENANT

The undersigned state that they are the owners of all of the real estate encompassed by the Declaration of Restrictive Covenants filed March 29, 1989, in Book 1, Misc., Page 45 of the records of the Delaware County Recorder. Covenant No. 6 states in pertinent part:

> "No lot may be further subdivided into two or more lots, nor may a portion thereof be sold separately from the rest of said lot. Nothing herein shall prevent two or more lots from being combined to form one lot".

The undersigned agree to waive said restrictions for the purpose of the sale of the following described real estate:

> East two hundred (E 200) feet of Lot 1 of the Subdivision of Lot 1 of Timbergate Subdivision of part of the South One-Half of the Southwest Quarter and part of the West One-Half of the Southeast Quarter of Section 36, Township 89 North, Range 4, West of the 5th P.M., according to Plat recorded in Book 4 Plats, Page 39, except that part included in Condemnation Proceedings in Book Y Misc., Page 41.

The parties hereto agree that the real estate described herein may be sold separate and apart from the remainder of said Lot 1 of the Subdivision of Lot 1 of Timbergate Subdivision.

In all other respects the parties reaffirm the Restrictive Covenants recorded in Book 1, Misc., Page 45 of the records of the Delaware County Recorder.

DATE 7-31-97 BOOK 7 PAGE 24

Agnes B. Vorwald Pres. of Wald Investments Inc. 4/23/91

Agnes B. Vorwald

STATE OF IOWA Dubuque COUNTY, ss:

On this 23rd day of April, 19 97, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Agnes B. Vorwald and _____, to me personally known, who being by me duly sworn, did say that they are the President and _____ respectively, of the corporation executing the within and foregoing instrument **to which this is attached,** that (no seal has been procured by the) ~~(the seal affixed thereto is the seal of the)~~ corporation; that said instrument was signed ~~(and sealed)~~ on behalf of the corporation by authority of its Board of Directors; and that Agnes B. Vorwald and _____ as officers acknowledged the executive of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Martin Butsch
MARTIN Butsch 9/13/98, Notary Public in and for said State.

STATE OF IOWA, _____ COUNTY, ss:

On this _____ day of _____, 19 _____, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared _____ and _____, to me personally known, who being by me duly sworn, did say that they are the _____ and _____ respectively, of the corporation executing the within and foregoing instrument **to which this is attached,** that (no seal has been procured by the) (the seal affixed thereto is the seal of the) corporation; that said instrument was signed **(and sealed)** on behalf of the corporation by authority of its Board of Directors; and that _____ and _____ as officers acknowledged the executive of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

_____
_____, Notary Public in and for said State.

STATE OF IOWA, _____ COUNTY, ss:

On this _____ day of _____, 19 _____, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared _____ and _____, to me personally known, who being by me duly sworn, did say that they are the _____ and _____ respectively, of the corporation executing the within and foregoing instrument **to which this is attached,** that (no seal has been procured by the) (the seal affixed thereto is the seal of the) corporation; that said instrument was signed **(and sealed)** on behalf of the corporation by authority of its Board of Directors; and that _____ and _____ as officers acknowledged the executive of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

_____
_____, Notary Public in and for said State.

Hawkeye Aff. Homes, INC.
by Lloyd A Thola/pres.
LLOYD A. THOLA

Corryn V Thola/VP.
CORRYN V. THOLA

Timothy K Shaffer
TIMOTHY K. SHAFFER

Carla J. Shaffer
CARLA J. SHAFFER

Joel E Loeffelholz
JOEL E. LOEFFELHOLZ

Mary A Loeffelholz
MARY A. LOEFFELHOLZ

Roy J. White
ROY J. WHITE

Roy Gene Seloover
ROY GENE SELOOVER

Regina R. Seloover
REGINA R. SELOOVER

Edgar R. Dunlap
EDGAR R. DUNLAP

Angela M Dunlap
ANGELA M. DU NLAP

Timberlyne Community Association
Lennie Lewin President
LENNIE LEWIN

Kathy Krapfl, Secretary
KATHY KRAPFL

STATE OF IOWA, JACKSON COUNTY, ss:

On this 21ST day of APRIL, 19 97, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Lloyd A. Thola and Corryn V. Thola, to me personally known, who being by me duly sworn, did say that they are the President and Vice President respectively, of the corporation executing the within and foregoing instrument to which this is attached, that (no seal has been procured by the) (~~the seal affixed thereto is the seal of the~~) corporation; that said instrument was signed (~~and sealed~~) on behalf of the corporation by authority of its Board of Directors; and that Lloyd A. Thola and Corryn V. Thola as officers acknowledged the executive of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Martin Butschi

MARTIN BUTSCHI, Notary Public in and for said State.
EXPIRES: 4/13/98

MARTIN BUTSCHI
IOWA

BOOK 7 PAGE 74

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

This 22ND day of APRIL, 1997, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Timothy K. and Carla J. Shaffer 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.

LISA A. MAIERS
MY COMMISSION EXPIRES
1-19-98

Lisa A. Maiers
Lisa A. Maiers

Notary Public in and for the State
Of Iowa

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

This 22ND day of APRIL, 1997, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Joel E. and Mary A. Loeffelholz 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.

LISA A. MAIERS
MY COMMISSION EXPIRES
1-19-98

Lisa A. Maiers
Lisa A. Maiers

Notary Public in and for the State
Of Iowa

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

This 22ND day of APRIL, 1997, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Roy Gene and Regina R. Seloover 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.

LISA A. MAIERS
MY COMMISSION EXPIRES
1-19-98

Lisa A. Maiers
Lisa A. Maiers

Notary Public in and for the State
Of Iowa

STATE OF IOWA)
) ss:
COUNTY OF Delaware)

This 22nd day of April, 1997, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Edgar R. Dunlap and Angela M. Dunlap 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.

LISA A. MAIERS
MY COMMISSION EXPIRES
1-19-98

Lisa A. Maiers
Lisa A. Maiers

Notary Public in and for the State
Of Iowa

STATE OF IOWA)
) ss:
COUNTY OF Delaware)

This 28th day of April, 1997, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Roy J. White 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.

LISA A. MAIERS
MY COMMISSION EXPIRES
1-19-98

Lisa A. Maiers
Lisa A. Maiers

Notary Public in and for the State
Of Iowa

STATE OF IOWA)
) ss:
COUNTY OF _____)

This _____ day of _____, 1997, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared _____ 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 the State
Of Iowa

(Business or Entity Acknowledgment)

STATE OF Iowa, COUNTY OF Delaware } ss.
On this 28th day of April, 1997 before me, a Notary Public in the state of Iowa, personally appeared Kathy Krapfl to me personally known, who being by me duly sworn or affirmed did say that that person is the Secretary of the Timbergate Community Association of said entity, that (~~the seal affixed to said instrument is the seal of said entity or~~ no seal has been procured by said entity) and that said instrument was signed ~~and sealed~~, if applicable, on behalf of the said entity by authority of its board of directors/partners/members and the said Secretary of the Timbergate Community Association acknowledged the execution of said instrument to be the voluntary act and deed of said entity by it voluntarily executed.

My commission expires:
(Seal)

LISA A. MAIERS
MY COMMISSION EXPIRES
1-19-98

Lisa A. Maiers
(Notary Public)
Lisa A. Maiers

(Business or Entity Acknowledgment)

STATE OF Iowa, COUNTY OF Delaware } ss.
On this 28th day of April, 1997 before me, a Notary Public in the state of Iowa, personally appeared Lennie Lewin to me personally known, who being by me duly sworn or affirmed did say that that person is the President of the Timbergate Community Association of said entity, that (~~the seal affixed to said instrument is the seal of said entity or~~ no seal has been procured by said entity) and that said instrument was signed ~~and sealed~~, if applicable, on behalf of the said entity by authority of its board of directors/partners/members and the said President of the Timbergate Community Association acknowledged the execution of said instrument to be the voluntary act and deed of said entity by it voluntarily executed.

My commission expires:
(Seal)

LISA A. MAIERS
MY COMMISSION EXPIRES
1-19-98

Lisa A. Maiers
(Notary Public)
Lisa A. Maiers