John Stone
Box 68
Hopkinton, IA

97 OCT 10 PM 3:08
DELAWARE COUNTY, IOWA
11.00
15-11546

AGREEMENT AND CONSENT

WHEREAS, John M. Stone and Debrah A. Miles are now the owners of certain real estate, located in Delaware County, Iowa,, to-wit:

All that part of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Twenty Five (25) that lies West of the Maquoketa River except commencing at a point two hundred forty four and thirty two one-hundredths (244.32) feet South and five hundred seven and nine one-hundredths (507.09) feet East of the Northwest corner of said Southwest Quarter (SW¼) of the Southwest Quarter (SW¼), and running thence South 10° 28' 20" West five hundred ninety five and thirty one one-hundredths (595.31) feet, thence South 86° 29' 40" East two hundred seven and seventy one one-hundredth (207.71) feet, thence North 37° 10' 20" East seven hundred ten (710.0) feet along the center of the Maquoketa River, thence North 86° 29' 40" West five hundred twenty nine and twelve one-hundredths (529.12) feet to the point of beginning, and the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section Twenty Six (26), and the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Thirty Five (35), and all that part of the Northwest Quarter (NW¼) of the Northwest Quarter (NW¼) of Section Thirty Six (36) which lies West of the Maquoketa River and North of the Wild Cat and Table Rock Road, all in Township Eighty Seven (87) North, Range Four (4), West of the Fifth P.M., and the Southwest Quarter (SW¼) of the Northwest Quarter (NW¼) and the Northwest Quarter (NW¼) of the Southwest Quarter (SW¼) of Section Twenty Five (25), and the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) and the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼), and the South eleven (11) acres of the Northeast Quarter (NE¼) of the Northeast Quarter (NE¼) of Section Twenty Six (26), and the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) and the East one-half (E½) of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of Section Thirty Five (35), all in Township Eighty Seven (87) North, Range Four (4), West of the Fifth P.M., Delaware County, Iowa,

AND WHEREAS, Kimball A. Gates, Robert Gates, James Bailey, Curtis Barnhart, and Earnest Jesenovec are owners of real property bordering said described property,

and desire by this agreement desire to control [illegible].

NOW THEREFORE, the undersigned do state and agree as follows:

1. Debrah A. Miles and John M. Stone shall set up a gate on their property at the approximate point where the Wildcat and Table Rock Road intersects their property, being on the existing fence line adjoining the Hardscrabble Park area.

2. This gate shall be locked. Keys to the lock will be provided to all parties to this agreement, plus the Delaware County Conservation Board, Delaware County Sheriff, Delaware County Engineer, Iowa Department of Natural Resources, Hopkinton Volunteer Fire Department and the United State Fish and Wildlife Department.

3. The undersigned consent to this procedure and consent to the recording of this document. The agreement shall run with the land and shall be binding on the parties heirs and successors-in-interest.

Dated this 11th day of OCTOBER, 1995.

Kimball A. Gates

~~Robert Gates~~

~~Curtis Bernhart~~

John M. Stone

~~James Bailey~~

Earnest Jesenovec

Debrah A. Miles

STATE OF IOWA, DELAWARE COUNTY, ss:

On this 11 day of OCTOBER, A.D. 1995, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Kimball A. Gates, ~~Robert Gates~~, ~~James Bailey~~, Earnest Jesenovec, John M. Stone and Debrah A. Miles to me know to the identical persons named in and who executed the same as their voluntary act and deed.

Notary Public in and for County and State

KEITH A. KRAMER
MY COMMISSION EXPIRES
2-15-98