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PREPARER
INFORMATION: Dan McClean, 401 First Ave. East, Dyersville, Iowa 319-875-7534

TILE DRAINAGE AGREEMENT

WHEREAS, Roger H. Klostermann and Lois A. Klostermann, husband and wife, are the owners of the following described real estate in Delaware County, Iowa, to-wit:

> The Southeast Quarter (SE¼) of the Southwest Quarter (SW¼), and the West one-half (W½) of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼), except the North sixteen (16) feet thereof, and the South twelve (12) feet of the East one-half (E½) of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section Fourteen (14), and the West one-half (W½) of the Northwest Quarter (NW¼) of Section Twenty Four (24), all in Township 89 North, Range 3, West of the 5th P.M., except that part conveyed for a public school and described as beginning at the Northwest corner of said Section Twenty Four (24), and running thence South Thirteen (13) rods, thence East eight (8) rods, thence North thirteen (13) rods to the North line of said Section, thence West to the point of beginning; and

WHEREAS, Rose Lee M. Stroebele, widowed and unremarried, is the owner of the following described real estate in Delaware County, Iowa, to-wit:

> A tract of land located in the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼), Section Fourteen (14), Township 89 North, Range 3 West of the 5th P.M., and the North sixteen (16) feet of the West one-half (W½) of Southwest Quarter (SW¼) of Southeast Quarter (SE¼), Section Fourteen (14), Township 89 North, Range 3 West of the 5th P.M., and in the East one-half (E½) of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼), Section Fourteen (14), Township 89 North, Range 3 West of the 5th P.M., commencing at the Southeast corner of Section Fourteen (14), Township 89 North, Range 3 West of the 5th P.M., thence West, 1345.95 feet along East - West Section line in County Road, thence North 0° 26½' East,

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12.0 feet along East line of East one-half (E½) of Southwest Quarter (SW¼) of Southeast Quarter (SE¼), Section 14, Township 89 North, Range 3 West of 5th P.M., to point of beginning of tract of land, thence West, 672.97 feet along North side of 12 feet wide lane of tract of land, thence North 0° 25' East, 1293.11 feet, thence South, 89° 56½' West, 673.79 feet to North-South ¼ Section line, thence North 0° 06½' East, 365.02 feet, along said North-South ¼ Section line, thence South 89° 53½' East, 917.38 feet, thence South 0° 06½' West, 603.20 feet, thence South 89° 56½' West, 184.89 feet, thence South 0° 25' West, 1016.32 feet, thence East 612.95 feet to east line of East one-third (E 1/3) of Southwest Quarter (SW¼) of Southeast Quarter (SE¼), of Section Fourteen (14), Township, Township 89 North, Range 3 West of the 5th P.M., thence South 0° 26½' West along said east line to point of beginning; and

WHEREAS, a tile drainage system has been installed and maintained running easterly across the northerly portion of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of Section Fourteen (14), Township 89 North, Range 3 West of the 5th P.M., on the lands owned by said Roger H. Klostermann and Lois A. Klostermann, continuing thence easterly which results in water drainage onto the premises owned by Rose Lee M. Stroebele described as follows:

The North sixteen (16) feet of the West one-half (W½) of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section Fourteen (14), Township 89 North, Range 3 West of the 5th P.M.; and

WHEREAS, no tile drainage easement has been previously reduced to writing nor placed on public record.

THEREFORE, in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration, Rose Lee M. Stroebele, widowed and unremarried, does hereby give and grant to Roger H. Klostermann and Lois A. Klostermann, husband and wife, an easement for the tile drainage system referred to above for the drainage of water as a result of the installation and usage of said tile drainage system on and through the land owned by Rose Lee M. Stroebele, as described above. Said easement shall include the right to enter upon the land owned by Rose Lee M. Stroebele for the purpose of inspection, maintenance, and repair at all reasonable times; and,

FURTHER, in the event that repairs or replacement of the said tile drainage system, or outlet, located on the land of Rose Lee M. Stroebele, are required, such repairs or replacement shall be in such a manner and at such times as will not damage or interfere with growing crops.

This Agreement shall be binding upon the heirs, successors, administrators, and assigns of the respective parties hereto and this easement shall run with the land.

Dated this 9 day of JANUARY, 1998.

Roger H. Klostermann
Roger H. Klostermann

Rose Lee M. Stroebele
Rose Lee Stroebele

Lois A. Klostermann
Lois A. Klostermann

STATE OF IOWA)
) ss:
DUBUQUE COUNTY)

On this 9th day of January, 1998, before me the undersigned, a Notary Public in and for said state, personally appeared Roger H. Klostermann and Lois A. Klostermann, 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.

MARILYN FORTMANN
MY COMMISSION EXPIRES
1-8-99

Marilyn Fortmann
Notary Public in and for said state
Marilyn Fortmann

STATE OF IOWA)
) ss:
DUBUQUE COUNTY)

On this 18th day of February, 1998, before me the undersigned, a Notary Public in and for said state, personally appeared Rose Lee M. Stroebele, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

MARILYN FORTMANN
MY COMMISSION EXPIRES
1-8-99

Marilyn Fortmann
Notary Public in and for said state
Marilyn Fortmann