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DELAWARE COUNTY IOWA
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1998 OC -7 PM 2:12
BOOK 8 PAGE 124
DEBORAH PETTON
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16.00

J EMLET, 712 EAST MAIN STREET, MANCHESTER, IOWA 319-927-3432

SHARED DRIVEWAY AGREEMENT

JERRY / JEAN EMLET,
PARTY OF THE FIRST PART

AND

STEVEN / JANET DUDAK
PARTY OF THE SECOND PART

WHEREAS, PARTY OF THE FIRST PART AND PARTY OF THE SECOND PART WISH TO ENTER INTO A SHARED DRIVEWAY AGREEMENT WITH RESPECT TO PROPERTY LOCATED IN MANCHESTER, IOWA, LEGALLY DESCRIBED AS FOLLOWS:

EMLET - PARTY OF THE FIRST PART - LOT THREE (3) SUBDIVISION OF LOTS 116 AND 117, MANCHESTER, AND LOTS ONE (1), TWO (2) IOWA LAND COMPANY'S ADDITION TO MANCHESTER, LOCATED IN DELAWARE COUNTY, IOWA.

DUDAK - PARTY OF THE SECOND PART -
Lot Four (4) of the Subdivision of Lots One Hundred Sixteen (116) and One Hundred Seventeen (117) in the Town (now City) of Manchester, Iowa, and Lots One (1) and Two (2), in the Iowa Land Company's Addition to the said Town of Manchester according to plat recorded in Book 1 Plats, Page 114

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL CONVENANTS AND PROMISES CONTAINED IN THIS AGREEMENT AND IN CONSIDERATION OF THE MUTUAL BENEFITS TO BE GAINED BY THE PARTIES, IT IS AGREED AS FOLLOWS:

1. IT IS AGREED THAT THE DRIVEWAY WILL BE SHARED BY PARTY OF THE FIRST PART AND PARTY OF THE SECOND PART.

2. IT IS AGREED THAT ANY EXPENSES WITH RESPECT TO SAID DRIVEWAY WILL BE DISCUSSED FIRST AND AGREED UPON BY BOTH AND SAID EXPENSES WILL BE SHARED BY PARTY OF THE FIRST PART AND PARTY OF THE SECOND PART.

3. THAT THE PARTY OF THE FIRST PART AND PARTY OF THE SECOND PART SHALL HOLD EACH OTHER HARMLESS FROM ANY AND ALL LIABILITY, CLAIMS, OR SUITS FOR DAMAGES WITH RESPECT TO ANY CLAIMS, DEMANDS OR CAUSES OF ACTION OF ANY KIND OR NATURE WITH RESPECT TO SAID DRIVEWAY.

DATE 10-7-98 BOOK 8 PAGE 124

4. THAT THIS SAID WRITTEN AGREEMENT SHALL BE BINDING UPON THE PARTIES TO THIS AGREEMENT, THEIR SUCCESSORS AND ASSIGNS AND SHALL RUN WITH THE LAND SO LONG AS THE SAID DRIVEWAY REMAINS IN PLACE.

DATED THIS 4th DAY OF ~~SEPTEMBER~~ October, 1998.

Jerry Emlet
JERRY EMLET

Jean Emlet

Steve Dudak
STEVEN DUDAK

Janet Dudak
JANET DUDAK

ACKNOWLEDGMENT: STATE OF IOWA, COUNTY OF DELAWARE) ss.

ON THIS 4th day of October, 1998, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED JERRY AND JEAN EMLET TO ME KNOWN TO BE THE PERSONS NAMED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR VOLUNTARY ACT AND DEED.

Christine L Segeler
Notary Public in and for said
County and State

ACKNOWLEDGMENT: STATE OF IOWA, COUNTY OF DELAWARE)ss.

ON THIS 4th DAY OF OCTOBER, 1998, BEFORE ME A NOTARY PUBLIC IN AND FOR THE STATE OF IOWA, PERSONALLY APPEARED STEVEN DUDAK AND JANET DUDAK TO ME KNOWN TO BE THE PERSONS NAMED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR VOLUNTARY ACT AND DEED. Christine L Segeler

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