Floyd Sampson
1005 390th Ave
Colesburg IA
52035

DELAWARE COUNTY IOWA
FILED
2000 JN -1 AM 11:37
BOOK 2000 PAGE 1616
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
11.00

Prepared by: Tom Jenk, P.O. Box 304, Dyersville, Iowa 52040-0304 (319) 875-9112

AGREEMENT

RE: North ½ of the Southeast ¼ of Section Five, Township 90 North, Range Three, West of the Fifth P.M., Delaware County, Iowa

THIS AGREEMENT is between Floyd Sampson and Gwen Sampson, husband and wife, hereinafter referred to as the SAMPSONS, who are the owners of the following described property:

All of the North ½ of the Southeast ¼ of Section Five, Township 90 North, Range Three West of the Fifth P.M., Delaware County, Iowa, except: Starting at a point 842'7" East from the Northwest Corner of the North ½ of the Southeast ¼, Section Five, Township 90 North, Range Three West of the Fifth P.M., thence South 210'9", thence East 271'2", thence North 217', thence West 295' to point of beginning

and between Brenda Kaye Aulwes, n/k/a Brenda Kaye Hutchinson, and Robert Hutchinson, wife and husband, hereinafter referred to as the HUTCHINSONS, who are the owners of the following described property: Starting at a point 842'7" East from the Northwest Corner of the North ½ of the Southeast ¼, Section Five, Township 90 North, Range Three, West of the Fifth P.M., thence South 210'9", thence East 271'2", thence North 217', thence West 295' to point of beginning, Delaware County, Iowa.

That the Sampsons per Real Estate Contract dated May 24, 1968, filed for record on May 31, 1968, and recorded in Book 87, L.D., Page 205, purchased per Real Estate Contract the property with the following agreement:

"1a.) It is mutually agreed that the well located on the North ½ of the Southeast ¼, Section Five, Township 90, North Range Three West of the Fifth P.M., Delaware County, Iowa, will be used jointly between the sellers and the buyers, their heirs and assigns, and that all expenses of said well shall be shared on a 50/50 basis."

That the well is located on the Hutchinson property which is above denoted and that the Sampsons are no longer desirous of water supplied from said well. That it is jointly agreed that the well expenses will no longer be shared and that the Hutchinsons will assume all well obligations. It is further agreed that the Sampsons will not rely upon the Hutchinsons to provide them any water whatsoever from said well. It is further agreed that all expenses regarding maintenance of said well, including any type of electricity bills or repairs on said well, shall be exclusively that of the Hutchinsons. That the Sampsons, their heirs and assigns, do hereby relinquish any interest that they

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mutually had in said well located on the above stated property of the Hutchinsons, and the Hutchinsons further agree to the relinquishment of Sampsons' right and the Hutchinsons agree to said relinquishment of this interest and right to the well and said obligations under previous well agreement as indicated above. That the Hutchinsons hereby agree that from this date forward, the well is theirs together with the expense of said well.

That the Hutchinsons and the Sampsons hereby agree that any agreement as to water rights of the Sampsons are hereby terminated as of the date of signing this agreement. It is further agreed that any expenses regarding this well are also terminated and that the Hutchinsons agree that the well is theirs, that they no longer have to supply water to the Sampsons, their heirs or assigns, and that any previous agreement regarding water rights or water expenses from the well located on the Hutchinson property is hereby terminated.

That Robert Hutchinson hereby joins with his wife, Brenda Kaye Hutchinson, f/k/a Brenda Kay Aulwes, in this agreement.

Dated this 26th day of April, 2000.

Brenda K. Hutchinson
Brenda Kaye Hutchinson
f/k/a Brenda Kaye Aulwes

Floyd Sampson
Floyd Sampson

Robert L Hutchinson
Robert Hutchinson

Gwen Sampson
Gwen Sampson

Iowa Subscribed and sworn to before me by Floyd Sampson and Gwen Sampson, husband and wife, this 26th day of April, 2000.

JEANETTE K. THEIN NOTARIAL SEAL

Jeanette K. Thein
Notary Public in and for the State of Iowa
My commission expires 5-1-01.

Iowa Subscribed and sworn to before me by Brenda Kaye Hutchinson, f/k/a Brenda Kaye Aulwes and Robert Hutchinson, wife and husband, this 26th day of April, 2000.

JEANETTE K. THEIN NOTARIAL SEAL

Jeanette K. Thein
Notary Public in and for the State of Iowa
My commission expires 5-1-01.

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