DELAWARE COUNTY IOWA
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DEBORAH L. PEYTON
DELAWARE CO. RECORDER
$ 16.00

Bruce Schneider
20179 - 258th St.
Manchester, IA
52057-8576

Preparer Information Thomas J. Hanson, 401 East Main Street, Manchester, (319) 927-5920
Individual's Name | Street Address | City | Phone

Thomas J. Hanson, ISBA # 02110

SPACE ABOVE THIS LINE FOR RECORDER

AGREEMENT RE: ROADWAY

This Agreement entered into this 22nd day of May, 2001, by and between Bruce I. Schneider and Margie L. Schneider, husband and wife (hereinafter "Schneider") and Leo Vorba and Christine Vorba, husband and wife (hereinafter "Vorba").

WHEREAS, Schneider is the owner of the following described real estate located in Delaware County, Iowa:

> Lot One (1) of Logan's Sixth Subdivision to Delaware County, Iowa, according to plat recorded in Book 5 Plats, Page 82 except the North 33 feet thereof.

AND WHEREAS, Vorba is the owner of the following described real estate located in Delaware County, Iowa:

> Lot Four (4) of Logan's Sixth Subdivision to Delaware County, Iowa, according to plat in Book 5 Plats, Page 82, together with the 30-foot wide road surrounding said Lot; also, the North 33.0 feet of Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, 11 and 12, of Logan's Fourth Subdivision to Delaware County, Iowa, and the North 33.0 feet of Lot 1 of said Logan's Sixth Subdivision, and all of the 30-foot wide road running along and abutting the Easterly and Southerly line of said Lot 1 of said Logan's Sixth Subdivision.

AND WHEREAS, Schneider has recently subdivided a portion of said Lot 1 of Logan's Sixth Subdivision pursuant to the plat of survey of Logan Lane Estates Subdivision to Delaware County, Iowa, recorded in Book 2001, Page 1183 of the records of the Delaware County recorder.

AND WHEREAS, Schneider may further subdivide portions of said Lot One (1) of Logan's Sixth Subdivision;

NOW, THEREFORE, in consideration of $1.00 and other valuable consideration paid by Schneider to Vorba, receipt of which is hereby acknowledged and in consideration of the mutual benefits to be gained by the parties they agree as follows:

1. Vorba agrees that the owners of Lots 5, 6 and 7 of Logan Lane Estates Subdivision as described above shall have the right to use a 30-foot wide road running along the East side of said lots and owned by Vorba, provide however, that said lot owners shall be required to join the Road Association regarding said roadway and shall be required to pay their proportionate share of dues, costs, and expenses for maintenance and repair to the roadway as required by the provisions of any Road Association Agreement regarding said roadway.

2. That further, in the event of any further subdivision of the said Lot One (1) of Logan's Sixth Subdivision whereby access to the subdivision is required from the 30-foot roadway running along and abutting the Easterly and Southerly line of said Lot One (1) of said Logan's Sixth Subdivision that said future lot owners shall have the right to use said roadway to obtain access to said lots provided that they shall join the Road Association regarding said roadway.

3. That further, it is understood and agreed between that parties that Schneider retains the right to use said 30-foot roadway running along the Easterly and Southerly line of said Lot One (1) of said Logan's Sixth Subdivision to provide to Schneider, their heirs, successors and assigns, access to the said Lot One (1) of Logan's Sixth Subdivision and any lots pursuant to the further subdivision of said Lot One (1).

4. Further, Vorba, hereby grants and conveys to all owners, future owners, their heirs and assignees of Lot One (1) of Logan's Sixth Subdivision and any subdivisions to said Lot One (1) of Logan's Sixth Subdivision a permanent easement over and across the 30-foot wide road running along and abutting the Easterly and Southerly line of said Lot One (1) of Logan's Sixth Subdivision, provided however, that the owners of any residential building lots using said roadway for access to said lot shall be required to join the Road Association regarding said roadway.

Bruce I. Schneider

Leo Vorba

Margie L. Schneider

Christine Vorba

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 22nd day of May, 2001, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Bruce I. Schneider and Margie L. Schneider, husband and wife, known to me 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

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 22nd day of May, 2001, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Leo Vorba and Christine Vorba, husband and wife, known to me 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