Heritage Bank
P.O. Box 266
Marion, IA 52302

Greg Panosh, 20507 263rd Street, Manchester, Iowa 52057

DELAWARE COUNTY IOWA
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BOOK 2008 PAGE 4935
DEBORAH [illegible]
DELAWARE COUNTY RECORDER
16.00

Shared Well Agreement

The parties to this agreement are the undersigned owners of the following properties:

The West one hundred forty seven and eighty six (147.86) hundredths feet of Lot One (1) of Turtle Creek Camp Replat being part of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼), part of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼), and part of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE1/4) all in Section Twenty-six (26), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa; also being part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼), and part of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼), Section Twenty-five (25), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 1999, Page 4340.

AND

Lot One (1), except The West one hundred forty seven and eighty six (147.86) hundredths feet of Lot One (1) of Turtle Creek Camp Replat being part of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼), part of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼), and part of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE1/4) all in Section Twenty-six (26), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa; also being part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼), and part of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼), Section Twenty-five (25), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 1999, Page 4340.

And Lot Two (2) Turtle Creek Camp Replat being part of the Southwest Quarter (SW ¼) of the Northeast Quarter (NE ¼), part of the Northeast Quarter (NE ¼) of the Northeast Quarter (NE ¼), and part of the Southeast Quarter (SE ¼) of the Northeast Quarter (NE1/4) all in Section Twenty-six (26), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa; also being part of the Northwest Quarter (NW ¼) of the Northwest Quarter (NW ¼), and part of the Southwest Quarter (SW ¼) of the Northwest Quarter (NW ¼), Section Twenty-five (25), Township Eighty-eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 1999, Page 4340

For mutual considerations, it is agreed by the undersigned as follows:

1) The well which is located on Lot two (2) in Turtle Creek Camp in Section Twenty-Six (26), Delaware County, which lies adjacent to Lot one (1); will now and in the future be shared equally by property owners of said lots.

2) All maintenance and upkeep of the well will be shared in equal proportions by the owners of the said lots.

3) Any party to this agreement that has ownership in the above lots and fails to pay their proportionate share of costs for maintenance and upkeep of said well shall be liable to the remaining owners of said lots for said proportionate share. Any amounts unpaid by any owner may be collected by a representative of the remaining lot owners for their collective benefit by bringing suit in Small Claims Court or District Court for recovery of said delinquent amounts. Any owner who is delinquent and against whom collection is necessary shall pay the reasonable costs representative of the remaining lot owners.

4) This agreement will remain in effect regardless of any transfer of title to either of the above lots.

We the undersigned, mutual agree to the above stated conditions of this Shared Well Agreement as December 18, 2002.

Mary A. Panosh

Gregory A. Panosh

Raymond Panosh

Julie A. Panosh

State of Iowa ss:
County of Delaware

On this 21st day of December, 2002, before me, a Notary Public in the State of Iowa, personally appeared Raymond Panosh and Mary Panosh, to me known to be the person(s) named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Cynthia L. Orr
Notary Public in the State of Iowa

CYNTHIA L. ORR
Commission Number 171430
MY COMMISSION EXPIRES
OCTOBER 6, 2005

State of Iowa ss:
County of Delaware

On this 21st day of December, 2002, before me, a Notary Public in the State of Iowa, personally appeared Gregory A. Panosh and Julie A. Panosh, to me known to be the person(s) named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Cynthia L. Orr
Notary Public in the State of Iowa

CYNTHIA L. ORR
Commission Number 171430
MY COMMISSION EXPIRES
OCTOBER 6, 2005