Jerome + RoseAnn Krogmann 801 S. Niles St. Manchester, IA

DELAWARE COUNTY IOWA FILED
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DEBORAH L. PEYTON
DELAWARE COUNTY RECORDER
10.00

Preparer Information | Mary Lou Tracey (Name) | 105 N. Franklin St. (Street Address) | Manchester, Iowa (City) | 563-927-4995 (Phone)

AGREEMENT

This agreement made this 5th day of April, 2004, by and between Robert D. Wendt and Karen S. Wendt, husband and wife, hereinafter known as Wendts', and Jerome A. Krogmann and Rose Ann Krogmann, husband and wife, hereinafter known as Krogmanns', as follows:

WHEREAS, Wendts' are the owners, as Joint Tenants with Full Rights of Survivorship, and not as Tenants in Common, of land described as follows:

> That part of the NE¼ of the NW¼, Section 28, Township 89 North, Range 5, West of the 5th P.M., City of Manchester, Delaware County, Iowa, described as commencing at the NW corner of the NE¼ of the NW¼ of said Section 28, thence South 965.42 feet along the W line of the NE¼ of the NW¼ of said Section 28, thence South 89°-21'-10" East 520.76 feet along the North right of way line of present East Acers Street to the point of beginning, thence North 1°-07'-06" East 272.25 feet, thence North 88°-22'-38" East 186.83 feet, thence South 4°-00'-17" West 280.12 feet, thence North 89°-21'-10" West 172.51 feet to the point of beginning;

WHEREAS, Wendts' are the successors in interest of an exclusive right for the use of a cement encased well located approximately 300 feet East of the East line of their property, together with an easement from their property to and including the well along the waterline, such interest being a covenant to run with the land as set out in that certain contract of date March 1, 1981, and of record October 23, 1981, in Book 110, L.D., Page 167.

WHEREAS, Krogmanns' are the successors in interest to the former owners of the land on which the well is located and over which the easement runs.

WHEREAS, Wendts' now have access to water from the City of Manchester and have no further use for the well or the easement connected therewith.

NOW, THEREFORE, in consideration of $1.00 and other valuable consideration, receipt of which is hereby acknowledged, Wendts' give up and relinquish any right, title, interest, claim or demand in and to such well and easement and declare that it is exclusively the property of Krogmanns', and all rights and obligations under the original covenant and easement are hereby mutually canceled and declared null and void, by both the Wendts' and the Krogmanns'.

Robert D. Wendt
Robert D. Wendt

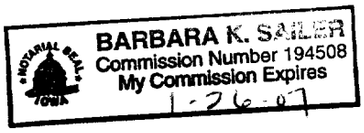
Karen S. Wendt
Karen S. Wendt

Jerome A. Krogmann
Jerome A. Krogmann

Rose Ann Krogmann
Rose Ann Krogmann

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

On this 10th day of April, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Robert D. Wendt and Karen S. Wendt, husband and wife, and Jerome A. Krogmann and Rose Ann Krogmann, husband and wife, 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.



Barbara K. Sailer
Notary Public in and
for the State of Iowa