DELAWARE COUNTY IOWA
FILED
2004 SP 21 AM 10: 00
BOOK 2004 PAGE 338
DEBORAH L. FENTON
DELAWARE CO. RECORDER
20.00

Preparer Information: Marc W. Casey (Individual's Name) | 129 1st Avenue E (Street Address) | Dyersville (City) | (563) 875-7178 (Phone)

GRANT OF LAKE RIGHTS - RECREATIONAL USE

In consideration of Ten Dollars and other good and valuable considerations, Earl Tegeler, single, and Herbert Tegeler and Anna Tegeler, husband and wife, and Tegeler Sand, Inc., hereby grant unto the owners of Lots 1 through 4 of Tegeler Lake Addition a Subdivision of Parcel D of the North ½ of the Northeast Quarter (NE¼) and part of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) All in Section Thirty-Six (36), Township Eighty-Nine North (T89N), Range Three West (R3W) of the Fifth Principal Meridian in the City of Dyersville, Delaware County, Iowa, according to Plat recorded in Book 2002, Page 609, subject to easements of record, the non-exclusive right and privilege to use that body of water located in

> The N½ of the NE¼ of Section 36, Township 89 North, Range 3 West, of the 5th P.M.,

and known as Tegeler Lake and/or Tegeler's Pond.

Such use shall be for recreational purposes only and shall be subject to such reasonable rules and regulations as grantors may impose from time to time.

Owners of Lots 1 through 4 of Tegeler Lake Addition a Subdivision of Parcel D of the North ½ of the Northeast Quarter (NE¼) and part of the Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) All in Section Thirty-Six (36), Township Eighty-Nine North (T89N), Range Three West (R3W) of the Fifth Principal Meridian in the City of Dyersville, Delaware County, Iowa, according to Plat recorded in Book 2002, Page 609, subject to easements of record, acknowledge that Tegeler Lake or Tegeler's Pond is a body of water of indeterminate and varying depth. That there are no life saving or supervision services provided, and that anyone using such lake does so at their own risk and by their use of said lake agree to hold Grantors as harmless from any cliams for damages arising from such use.

Owners of Lots 1 through 4 of Tegeler Lake Addition a Subdivision of Parcel D of the North ½ of the Northeast Quarter (NE¼) and part of the Northeast Quarter

(NE¼) of the Northwest Quarter (NW¼) All in Section Thirty-Six (36), Township Eighty-Nine North (T89N), Range Three West (R3W) of the Fifth Principal Meridian in the City of Dyersville, Delaware County, Iowa, according to Plat recorded in Book 2002, Page 609, subject to easements of record, agree that they and anyone using said lake through them will at all times keep a safe and proper distance from any equipment of Grantors that may be located on, under, or around said lake.

Anyone using such lake will at all times use a proper floatation device.

This grant shall be perpetual, but Grantors do not make any representation or guaranty as to the continued existence of said lake, nor do they make any representation as to the quality or quantity of water in said lake.

Dated this 14th day of September, 2004.

Earl Tegeler
Earl Tegeler

Herbert Tegeler
Herbert Tegeler

Anna Tegeler
Anna Tegeler

Tegeler Sands, Inc.

BY: Herbert Tegeler

STATE OF IOWA, DUBUQUE COUNTY, SS:

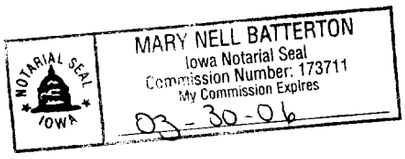
On this 14th day of September, A.D. 2004, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Earl Tegeler, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

NOTARIAL SEAL IOWA
MARY NELL BATTERTON
Iowa Notarial Seal
Commission Number: 173711
My Commission Expires
03-30-06

Mary Nell Batterton
Notary Public
In and for Said County and State

STATE OF IOWA, DUBUQUE COUNTY, SS:

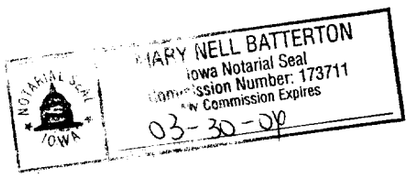
On this 14th day of September, A.D. 2004, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Herbert Tegeler and Anna Tegeler, husband and wife, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



Mary Nell Batterton
Notary Public
In and for Said County and State

STATE OF IOWA, DUBUQUE COUNTY, SS:

On this 14th day of September, A.D. 2004, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Herbert Tegeler, to me personally known, who being by me duly sworn, did say that he is the President of the corporation executing the within and foregoing instrument, that (no seal has been procured by the) (~~the seal affixed thereto is the seal of said~~) corporation; that said instrument was signed (~~and sealed~~) on behalf of the corporation by authority of its Board of Directors; and that Herbert Tegeler as officer acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.



Mary Nell Batterton
Notary Public
In and For Said County and State