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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

ROADWAY MAINTENANCE AGREEMENT AND WELL EASEMENT AND MAINTENANCE AGREEMENT

Recorder's Cover Sheet

Preparer Information:

Marc W. Casey, 129 1st Avenue East, P.O. Box 274, Dyersville, IA 52040
(563) 875-7178

Taxpayer Information:

Doris C. Bildstein
1866 300th Avenue
Dyersville, IA 52040

Return Address:

Moss & Casey
PO Box 274
Dyersville, IA 52040

Grantors:

Doris C. Bildstein

Grantees:

Wayne J. Althoff
Kimberly K. Althoff

Legal Description:

See Page 2

Document or instrument number if applicable:

ROADWAY MAINTENANCE AGREEMENT
AND WELL EASEMENT AND MAINTENANCE AGREEMENT

This agreement entered into this 7th day of August, 2006, by and between Doris C. Bildstein and James Bildstein (Bildsteins) and Wayne J. Althoff and Kimberly K. Althoff (Althoffs).

Althoffs are the owners of Parcel A Part of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼), Section Fifteen (15), Township Eighty-nine North (T89N), Range Three West (R3W) of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 2005, Page 4473 (Parcel 1).

Bildsteins are the owners of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼), Section Fifteen (15), Township Eighty-nine North (T89N), Range Three West (R3W) of the 5th P.M., Delaware County, Iowa, except Parcel A thereof, and the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section 15, Township 89 North, Range 3 West of the 5th P.M., (Parcel 2).

Bildsteins have granted Althoffs an easement over Easement A as shown on the plat recorded at Book 2005, Page 4473. The parties agree to share equally in the maintenance of said roadway, provided however, that Bildsteins will not be responsible for rock or snow removal if they do not have livestock in the buildings located adjacent to Parcel 1.

Althoffs have granted Bildsteins the right to use the well located on Parcel 1 to provide water to the buildings and yards located adjacent to Parcel 1. Bildsteins shall be responsible for one-half of the cost of operation, maintenance and repairs to said well so long as they have livestock in the buildings and yards located adjacent to Parcel 1. Additionally, Bildsteins shall have the right of access to said well and the service line running from said well to Parcel 2. All repairs and maintenance to said service line shall be Bildsteins and they shall restore the property on Parcel 1 to its original condition if disturbed while maintenance or repair is being done to said service line.

Doris C. Bildstein
Doris C. Bildstein

Wayne J. Althoff
Wayne J. Althoff

James Bildstein
James Bildstein

Kimberly K. Althoff
Kimberly K. Althoff

STATE OF IOWA, Dubuque COUNTY, SS:

On this 7 day of August, 2006, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Doris C. Bildstein and James Bildstein, wife and husband, 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.

MARC W. CASEY
Iowa Notarial Seal
Commission Number: 11508
My Commission Expires: 05/07/08

MARC W CASEY Notary Public
In and for Said County and State

STATE OF IOWA, Dubuque COUNTY, SS:

On this 7 day of August, 2006, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Wayne J. Althoff and Kimberly K. Althoff, 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.

MARC W. CASEY
Iowa Notarial Seal
Commission Number: 11508
My Commission Expires: 05/07/08

MARC W CASEY Notary Public
In and for Said County and State