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Document 2007 3324 Type 03 006 Pages 8
Date 10/11/2007 Time 3:47:09PM
Rec Amt $42.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared By & Return to: Steven E. Carr, PO Box 333, Manchester, IA 52057 (563) 927-4164

AMENDMENT TO WATER SYSTEM EASEMENT AND AGREEMENT
(Original recorded in Book N, Page 154)

We, the undersigned, Ramon J. Wycoff and Marilyn Dee Wycoff, husband and wife; James Kerton and Linda Kerton, husband and wife; Brad A. Lewin and Laura A. Lewin, husband and wife; Richard L. Beaudine and Marilyn I. Beaudine, husband and wife; Carl E. Whitaker and Verla Toletha Whitaker, husband and wife; Peter D. Wessels and Lori L. Wessels, husband and wife; Cornelia C. Stefl, a single person; Manfred Joseph Hepke and Sharone Hepke, husband and wife; Adoulf Kimball and Mary Lou Kimball, husband and wife; Floyd H. Thacher, a single person; and David J. Huber and Jeanne A. Huber, husband and wife; all of the County of Delaware and State of Iowa, do hereby associate ourselves together under the name of Northeast Beachland Water Association for the purposes hereinafter set out and referred to.

WHEREAS, the parties aforementioned are the owners of the real estate located and situation in Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18) and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., in Delaware County, Iowa according to the recorded plat thereof, as set out below:

Ramon J. Wycoff and Marilyn D. Wycoff

Lots Eighteen (18), Nineteen (19), Twenty (20) and Twenty One (21), Block One (1), of Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M

James Kerton and Linda Kerton

Lots Six (6), Seven (7), Eight (8) and Nine (9), Block One (1) of Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M. according to plat recorded in Book 2 Plats, page 20;

same being a part of the SW¼ of SW¼ of said Sec. 17, excepting rights if flowage in Delaware County

Brad A. Lewin and Laura A. Lewin

Lot Twenty Four (24), Block One (1), of Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18) and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., according to plat recorded in Book 2, page 20, said Lot being a part of the Southwest quarter of the Southwest quarter of said Section Seventeen (17); excepting rights of flowage.
AND
That part of the East 20.0 feet of Sunset View Road lying and being adjacent to the West line of Lot 24, Block One (1), Sunset Beach Subdivision, a subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M.

Richard L. Beaudine and Marilyn I. Beaudine

Lots Sixteen (16) and Seventeen (17), Block One (1), Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., according to plat recorded in Book 2 Plats, Page 20, said lots being a part of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of said Section Seventeen (17); excepting right of flowage.

Carl E. Whitaker and Verla Toletha Whitaker

Lots Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15) in Block One (1), of Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., Delaware County, Iowa, according to the Plat thereof; the same being a part of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of Section Seventeen (17) aforesaid, excepting rights of flowage.

Peter D Wessels and Lori L. Wessels

Lot Ten (10), Block One (1), Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., according to plat recorded in Book 2 Plats, page 20, said lot being a part of the Southwest Quarter (SW¼) of the Southwest Quarter (SW¼) of said Section Seventeen (17); excepting rights of flowage.

Cornelia C. Stefl

Lots Twenty Eight (28), Twenty Nine (29), Thirty (30) and Thirty One (31), of Block One (1), of Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M.; also a tract of land described as commencing at the Southwest corner of Lot Twenty Eight (28) described above thence West Twenty (20) feet, thence North Two hundred (200) feet, thence East Twenty (20) feet to Northwest corner of Lot Thirty One (31) described above, thence South to point of beginning.

Manfred Joseph Hepke and Sharone Hepke

Lots Thirty Two (32) and Thirty Three (33) of Block One (1), of Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M.; also a piece of land described as commencing at the Southwest corner of said Lot Thirty Two (32), thence West Twenty (20) feet, thence North One hundred (100) feet, thence East Twenty (20) feet to Northwest corner of the above described Lot Thirty Three (33), thence South to the point of beginning.

Adoulf Kimball and Mary Lou Kimball

Lots Twenty-five (25) and Twenty-six (26), Block One (1), and that part of the East 20.0 feet of Sunset View lying and being adjacent to said Lots Twenty-five (25) and Twenty-six (26), Block One (1), all in Sunset Beach, a Subdivision of part of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., according to plat recorded in Book 2, Plats, Page 20; excepting rights of flowage

Floyd H. Thacher

Lots Thirty-nine (39), Forty (40), and Forty-one (41), Block One (1), and the East Twenty (20) feet of Sunset View Road lying and being adjacent to the West line of said Lots, all in Sunset Beach, a Subdivision of part of Section Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty-nine (89) North, Range Five (5), West of the Fifth Principal Meridian

David J. Huber and Jeanne A. Huber ~~(contract seller) and Scott Westcott and Jolene Westcott (contract buyer)~~

Lot Twenty Seven (27), Block One (1), Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., Delaware County, Iowa, and the East 20 feet of Sunset View Road lying adjacent to the West line of said Lot Twenty Seven (27).

And, whereas, the said parties hereto have heretofore associated themselves together under the name of Northeast Beachland Water Association, as an unincorporated non-profit organization for the purpose of construction and installation of a well and water system to service the respective properties hereinabove described.

Now, therefore, for mutual considerations, the parties hereto agree to amend the Water System Easement and Agreement recorded June 25, 1971 as File No. 159-1194 in Book N, Page 154 as follows:

1. A well, pressure tank and one, one and one-quarter inch (1¼") standpipe for connection for emergency use only have been located on the property owned by Ramon J. Wycoff and Marilyn D. Wycoff. The pressure tank only has been moved to the property owned by Adoulf Kimball and Mary Lou Kimball. A one and one-quarter inch (1¼") main pipeline runs from said well north and south along the east side of the twenty foot alley located in the center of Block One of said Sunset Beach. A one and one-quarter inch (1¼") standpipe for emergency connection is located at a point approximately half way between said well and the northerly termination point of said main pipeline.

Manfred Joseph Hepke and Sharone Hepke is hereby removed from Northeast Beachland Water Association and is released from all further rights and responsibilities.

All other provisions from the original Water System Easement and Agreement remain in full force and effect and are hereby adopted by any owner whose property was not originally included.

Ramon J. Wycoff

Marilyn Dee Wycoff

James Kerton

Linda Kerton

Brad A. Lewin

Laura A. Lewin

Richard L. Beaudine

Marilyn I. Beaudine

Carl E. Whitaker

Verla Toletha Whitaker

Peter D. Wessels

Lori L. Wessels

Cornelia C. Stefl

Floyd H. Thacher

Adoulf Kimball

Mary Lou Kimball

Manfred Joseph Hepke

Sharone Hepke

David J. Huber

Jeanne A. Huber

~~Scott Westcott~~

~~Jolene Westcott~~

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 11th day of June, 2007 by Ramon J. Wycoff and Marilyn Dee Wycoff.

CINDY J. CANNON
Commission Number 724939
My Commission Expires
10-13-09

Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 27th day of June, 2007 by James Kerton and Linda Kerton.

CINDY J. CANNON
Commission Number 724939
My Commission Expires
10-13-09

Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

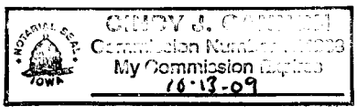
This instrument was acknowledged before me on this 4th day of June, 2007 by Brad A. Lewin and Laura A. Lewin.



Steven E. Carr
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 15th day of June, 2007 by Richard L. Beaudine and Marilyn I. Beaudine.



Cindy J. Cannon
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 30th day of May, 2007 by Carl E. Whitaker and Verla Toletha Whitaker.



Cindy J. Cannon
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 21 day of 2007, 2007 by Peter D. Wessels and Lori L. Wessels.



Steven E. Carr
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 18th day of June, 2007 by Cornelia C. Stefl.

CINDY J. CANNON
Commission Number 724988
My Commission Expires
10-13-09

Cindy J Cannon
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 28th day of June, 2007 by Manfred Joseph Hepke and Sharone Hepke.

STEVEN E. CARR
COMMISSION NO. 713328
MY COMMISSION EXPIRES
10-30-07

Steven E Carr
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 18th day of June, 2007 by Adoulf Kimball and Mary Lou Kimball.

CINDY J. CANNON
Commission Number 724988
My Commission Expires
10-13-09

Cindy J Cannon
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 18th day of June, 2007 by Floyd H. Thacher.

CINDY J. CANNON
Commission Number 724988
My Commission Expires
10-13-09

Cindy J Cannon
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 28th day of September, 2007 by David J. Huber and Jeanne A. Huber.

NOTARIAL SEAL IOWA
STEVEN E. CARR
COMMISSION NO. 713328
MY COMMISSION EXPIRES
10-30-08

Steven E. Carr
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this _____ day of _____, 2007 by Scott Westcott and Jolene Westcott.

_____
Notary Public in and for the State of Iowa