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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

William D. Werger 401 East Main St. Manchester, IA (563) 927-5920
Preparer & Return Information

Tax Payer Information: **William Roling, 2671 220th Avenue, Delhi, IA 52223**

WELL AGREEMENT

THIS AGREEMENT is made by William J. Roling and Amy S. Roling as the owners of Parcel 1 described below; Brice A. Lubben and Nancy J. Lubben as owners of Parcel 2 described below; and Douglas Shorey Tuetken and Sara Tuetken as owners of Parcel 3 described below:

Parcel 1: Lot Six (6) of Keith's Hartwick Hill Estates, a subdivision of part of the Southwest Quarter of the Northwest Quarter, and part of the Northwest Quarter of the Southwest Quarter of Section 30, Township 88 North, Range 4 West of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 2006, at Page 2711 in the Office of the Recorder of Delaware County, Iowa, subject to all easements of record, and subject to the Restrictions and Covenants of Keith's Hartwick Hill Estates which are filed for record in Book 2006, Page 2959 in the Office of the Delaware County Recorder.

Parcel 2: Lot Five (5) of Keith's Hartwick Hill Estates, a subdivision of part of the Southwest Quarter of the Northwest Quarter, and part of the Northwest Quarter of the Southwest Quarter of Section 30, Township 88 North, Range 4 West of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 2006, at Page 2711 in the Office of the Recorder of Delaware County, Iowa, subject to all easements of record, and subject to the Restrictions and Covenants of Keith's Hartwick Hill Estates which are filed for record in Book 2006, Page 2959 in the Office of the Delaware County Recorder.

Parcel 3: Lot Four (4) of Keith's Hartwick Hill Estates, a Subdivision of part of the SW¼ of the NW¼ and part of the NW¼ of the SW¼ of Section 30, Township 88 North, Range 4 West of the 5th P.M. according to plat recorded in Book 2006, Page 2711.

WHEREAS a well is located on Parcel 1, which serves the houses built on the three parcels;

WHEREAS the parties desire to establish the rights and obligations with regards to the owners of the parcels and said well.

IT IS THEREFORE AGREED as follows:

1. The owner of Parcel 3 shall have the right to use the well and pump located on Parcel 1 and shall be entitled to maintain a water line from Parcel 3 to said well and pump on Parcel 1.

2. The owner of Parcel 3 shall have the right to place the waterline across Parcel 2 in order to have access to said well and pump.

3. The owners of any parcels connected to said well shall share in the maintenance costs of the well and pump from the date of this agreement.

4. In the event the well becomes unusable and/or economically unrepairable at any time in the future, this Agreement shall terminate and all parties shall be free to construct their own well or to contract together to construct a replacement pursuant to terms and conditions to be agreed upon in that circumstance. The owner of Parcel 3 may terminate the agreement and disconnect at any time.

5. This agreement is binding on successors and assigns of the owners of all parcels and shall be considered an easement which runs with the land.

Agreement is hereby made upon the signing of this Agreement on the date hereafter noted.

Dated 9-20-07

William J. Roling

Amy S. Roling

Subscribed, sworn and acknowledged to me by William J. Roling and Amy S. Roling on the 20 day of Sept, 2007.

LORI L. DREES
Commission Number 729188
My Commission Expires
6-28-10

Notary Public In And For The State Of Iowa

Dated _____

Brice A. Lubben
10-15-07

Nancy J Lubben
10-10-07

Subscribed, sworn and acknowledged to me by ~~Brice A. Lubben and~~ Nancy J Lubben on the 10th day of October, 2007.

NOTARIAL SEAL IOWA
TERRI L. PHILGREEN
COMMISSION # 703495
MY COMMISSION EXPIRES
06-05-09

Notary Public In And For The State Of Iowa

Dated 10-15-07

Douglas Shorey Tuetken

Sara Tuetken

Subscribed, sworn and acknowledged to me by Douglas Shorey Tuetken and Sara Tuetken on the 15th day of October, 2007.

NOTARIAL SEAL IOWA
TRACY L. FONCK
COMMISSION # 223445
MY COMMISSION EXPIRES
7-8-08

Notary Public In And For The State Of Iowa

Subscribed, sworn and acknowledged to me by Brice A. Lubben ~~and~~ on the 15th day of October, 2007.

NOTARIAL SEAL IOWA
WILLIAM D. WERGER
Commission Number 129812
My Commission Expires
October 6, 2010

Notary Public In And For The State Of Iowa