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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

PREPARER: Nick Strittmatter 123 East First Street PO Box 229 Monticello,IA 52310 Ph 319-465-3531
RETURN TO: Amanda Kelchen, Trading Places Realty, Inc., 339 First Avenue East, Dyersville, IA 52040

CONSENT TO LOCATION AND USE OF WATER WELL

STATE OF IOWA, COUNTY OF DELAWARE, §

I, LINDA FANGMANN, first being duly sworn on oath, depose and state:

1) I am the President of Timbergate Community Association which owns and maintains certain roadways through what is commonly referred to as Timbergates Subdivision, in or near Earlville, Iowa, in Delaware County.

2) ROY J. WHITE is the owner of the house and premises at 27176 218th Street, Earlville, Iowa 52041, the legal description which is:

Lot Five (5) of the Subdivision of Lot One (1) of Timbergate Subdivsion of part of the South one-half (S1/2) of the Southwest Quarter (SW1/4) and part of the West one-half (W1/2) of the Southeast Quarter (SE1/4) of Section Thirty Six (36), Township Eighty Nine (89) North, Range Four (4), West of the Fifth Principal Meridian, according to plat recorded in Book 4 Plats, Page 39,

AND

Lot Four (4) of the Subdivision of Lot One (1) of Timbergate Subdivision of part of the South one-half (S1/2) of the Southwest Quarter (SW1/4) and part of the West one-half (W1/2) of the Southeast Quarter (SE1/4) of Section Thirty Six (36), Township Eighty Nine (89) North, Range Four (4), West of the Fifth Principal Meridian, according to plat recorded in Book 4 Plats, Page 39, except that part included in Condemnation Proceedings recorded in Book Y Misc., Page 41

3) The water well serving the White residence is located in Hickory Street owned by Timbergate Community Association. The well is under the direct control of Roy J. White as owner of *Lot Four (4) of the Subdivision of Lot One (1) of Timbergate Subdivision*, all pursuant to a 1996 Well Agreement recorded at Book 6, Misc. Page 65, Delaware County Recorder records.

4) Timbergate Community Association hereby consents to the location of this well and that all future owners of the Roy J. White property shall have a right to draw water from the well.

Dated this 28 day of June, 2012.

TIMBERGATE COMMUNITY ASSOCIATION

By: Linda Fangmann
LINDA FANGMANN, President

Subscribed and sworn to before me this 28 day of June, 2012 by LINDA FANGMANN, in her capacity as President of and as authorized by the TIMBERGATE COMMUNITY ASSOCIATION.

SEAL
STEVE FABER
Commission Number 759312
My Comm. Exp. 6-28-13

Notary Public