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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

AMENDMENT TO EASEMENT AGREEMENT (PIPELINE EASEMENT)

Recorder's Cover Sheet

Preparer Information:
Richard F. Mitvalsky, P.O. Box 456, Cedar Rapids, IA 52406-0456, Phone: (319) 364-1535

Taxpayer Information: Ruth Harbach, Trustee of the Ruth Harbach Revocable Trust dated November 30, 2004, 2449 210th Avenue, Delhi IA 52223

Return Address: Richard F. Mitvalsky, P.O. Box 456, Cedar Rapids IA 52406-0456 Phone: (319-364-1535

Grantors:
Ruth Harbach, Trustee of the Ruth Harbach Revocable Trust dated November 30, 2004

Grantees:
Lake Delhi Recreation Association, Inc.

Legal Description: ~~See Page XX~~ **NONE**

Document or instrument number if applicable:

AMENDMENT TO EASEMENT AGREEMENT (PIPELINE EASEMENT)

The undersigned as Trustee of the Ruth Harbach Revocable Trust dated November 30, 2004, (hereinafter ("Harbach"), and Lake Delhi Recreation Association, Inc. (hereinafter "Association"), herein agree as follows:

1. On October 27, 2009, Harbach, as Grantor, conveyed to the Association, as Grantee, a perpetual pipeline easement running with the land measuring a minimum width of 20 feet from the Maquoketa River across certain real estate property owned by Harbach for unlimited transport and conveyance of sand, siltation and other such dredge material by buried pipeline to and from the property. This easement agreement, also herein the "Pipeline Easement", is recorded in the office of the Delaware County Recorder on October 27, 2009 appearing at Book 2009 and page 4052.

2. Harbach and the Association now desire to amend their Pipeline Easement agreement to delete Paragraph 3 of the Pipeline Easement, and in its place substitute the following Amended Paragraph 3:

> "Harbach grants to Association a perpetual pipeline easement running with the land measuring a minimum width of 20' from the Maquoketa River across Harbach's property, described above, to Parcel AA, above, for unlimited transport and conveyance of sand, siltation and other such dredge material by either buried or above-ground pipeline, at the election of the Association or its assignee, to and from the property."

3. Harbach and the Association hereby reaffirm and restate the remaining terms of their easement agreement recorded October 27, 2009, as duly amended and supplemented by the parties.

4. Harbach agrees to the Association's assignment of the parties' Pipeline Easement agreement, as amended and supplemented, to the Combined Lake Delhi Benefited Recreational Facility and Water Quality District.

Dated this 26th day of December 2012.

Ruth Harbach

Ruth Harbach, Trustee of the Ruth Harbach Revocable Trust dated November 30, 2004, Grantor

LAKE DELHI RECREATION ASSOCIATION, INC.

Patricia Dede

Patricia Dede, President

STATE OF IOWA; COUNTY OF DELAWARE ss.

This Amendment to Easement Agreement was acknowledged before me on this 26th day of December 2012 by Ruth Harbach as Trustee of the Ruth Harbach Revocable Trust dated November 30, 2004.

NANCY S. CHAPMAN
Commission Number 710118
My Comm. Exp. 5/22/13

Nancy Chapman

Notary Public in and for State of Iowa

STATE OF IOWA; COUNTY OF DELAWARE ss.

This Amendment to Easement Agreement was acknowledged before me on this 26th day of December 2012 by Patricia Dede as President of the Lake Delhi Recreation Association, Inc.

NANCY S. CHAPMAN
Commission Number 710118
My Comm. Exp. 5/22/13

Nancy Chapman

Notary Public in and for State of Iowa