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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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Dubuque County Iowa
Kathy Flynn Thurlow Recorder
File 2014-00001520

Prepared by & Return to: George Davis, P.O. Box 304, Dyersville, Iowa 52040-0304 Phone: 563-875-9112

AGREEMENT

RE: Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of Section Ten (10), North One-Half (N1/2) of the Northwest Quarter (NW1/4) of Section Eleven (11) and the Northwest Quarter (NW1/4) of the Northeast Quarter (NE1/4) of Section Eleven (11), Township 88 North, Range 3, West of the 5th P.M., subject to easements of record

WHEREAS, the above-described real estate was owned by Wayne A. Recker at the date of his death on October 29, 2012;

WHEREAS, the above-described real estate was transferred pursuant to the Last Will and Testament of Wayne A. Recker to his children, Sheryl Berger, Allen Recker and Ann Recker in equal shares as tenants in common;

WHEREAS, Sheryl Berger, Allen Recker and Ann Recker are the children of Wayne Recker;

WHEREAS, Sheryl Berger, Allen Recker and Ann Recker wish to impose certain restrictions on themselves, their heirs and assigns with regard to the ownership and operation of the real estate.

NOW AND THEREFORE, Sheryl Berger, Allen Recker and Ann Recker agree as follows:

1. That while Sheryl Berger, Allen Recker, and Ann Recker are living, the above-described real estate cannot be transferred to a third party without the unanimous consent of the surviving brothers and sister consisting of Sheryl Berger, Allen Recker and Ann Recker;

2. That while either Sheryl Berger, Allen Recker or Ann Recker are alive no person owning an interest in the above-described real estate may enter into a partitionment action without the unanimous consent of the then living brothers and sisters consisting of Sheryl Berger, Allen Recker and Ann Recker;

12.00 ⊗ TomJenk

3. That all decisions regarding the use and rental of the farm shall be made by the majority of the then living brothers and sisters consisting of Sheryl Berger, Allen Recker and Ann Recker while any of these brothers and sisters are alive;

4. That none of the provisions of this agreement shall prevent the transfer at death of the above-described property by Sheryl Berger, Allen Recker or Ann Recker, or their heirs, either by Will or by the laws of intestate succession.

5. That the provisions of this agreement shall apply to the heirs, assigns and future owners of the above-described property so long as either Sheryl Berger, Allen Recker or Ann Recker are still alive.

Agreed to this 12th day of ~~January~~ February, 2014.

Sheryl Berger
Sheryl Berger

Andy Berger
Andy Berger, Spouse of Sheryl Berger

Allen Recker
Allen Recker

Ann Recker
Ann Recker

Subscribed and sworn to before me bySheryl Berger and Andy Berger, husband and wife, this 12th day of February, 2014.

GEORGE A. DAVIS
Commission Number 199715
My Commission Expires
December 17, 2016

Notary Public in and for the State of Iowa

Subscribed and sworn to before me Andy Recker this 12th day of February, 2014.

GEORGE A. DAVIS
Commission Number 199715
My Commission Expires
December 17, 2016

Notary Public in and for the State of Iowa

Subscribed and sworn to before me by Ann Recker. this 12th day of February, 2014.

GEORGE A. DAVIS
Commission Number 199715
My Commission Expires
December 17, 2016

Notary Public in and for the State of Iowa