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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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

AGREEMENT

RE: Agreement dated June 22, 1982, and recorded on June 24, 1982, in Book V, Page 70

WHEREAS, Eldon J. Pins and Marilyn Pins own real property in Section 28 of North Fork Township, Delaware County, Iowa;

WHEREAS, The Pins own property in Section 28 of North Fork Township, Delaware County, Iowa, is subject to an Agreement dated June 22, 1982 and filed for record with the Delaware County Recorder on June 24, 1982, in Book V, Page 70;

WHEREAS, the Agreement recorded in Book V, Page 70, provides for the maintenance of a drainage ditch running across numerous parcels of property and provides, among other things, for the allocation of costs among the various landowners whose tile drains into the ditch;

WHEREAS, Christopher Knipper and Teresa Knipper have purchased a portion of the property owned by Eldon J. Pins and Marilyn Pins subject to this Agreement;

WHEREAS, Christopher Knipper and Teresa Knipper and Eldon J. Pins and Marilyn Pins wish to document their agreement as to the drainage ditch agreement for maintenance recorded in Book V, Page 70, in particular the allocation of future costs for maintenance of the drainage ditch between Eldon J. Pins and Marilyn Pins and Christopher Knipper and Teresa Knipper;

WHEREAS, the original Agreement recorded in Book V, Page 70, related to maintenance of the drainage ditch provided that Eldon J . Pins and Marilyn Pins would fund 36% of the maintenance costs;

NOW AND THEREFORE, Eldon J. Pins and Marilyn Pins and Christopher Knipper and Teresa Knipper agree as follows:

1. In consideration for Eldon J. Pins and Marilyn Pins selling Christopher Knipper and Teresa Knipper approximately 117 acres of real estate subject to the drainage agreement, Christopher Knipper and Teresa Knipper will agree to pay 15.5% of the future maintenance costs related to the Agreement filed in Book V, Page 70, and Eldon J. Pins and Marilyn Pins will fund 20.5% of the future maintenance costs of the drainage ditch subject to the Agreement recorded in Book V, Page 70, in the records of the Delaware County Recorder.

2. This Agreement alters the original agreement which provided that Eldon J. Pins and Marilyn Pins would provide 36% of the drainage maintenance costs. The 36% of the maintenance costs for the drainage agreement will now be allocated 15.5% will be the responsibility of Christopher Knipper and Teresa Knipper and 20.5% will be the responsibility of Eldon J. Pins and Marilyn Pins.

3. Christopher Knipper and Teresa Knipper further agree to indemnify Eldon J. Pins and Marilyn Pins for any claims by any of the other parties under the drainage maintenance agreement to the extent of 15.5% of the total maintenance costs of any repairs in the event that these amounts are not paid by Christopher Knipper and Teresa Knipper.

Agreed to this 12th day of May, 2014.

Eldon J. Pins

Christopher Knipper

Marilyn Pins

Teresa Knipper

STATE OF IOWA)
) ss:
DUBUQUE COUNTY)

On this 12th day of May, 2014, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared Eldon J. Pins and Marilyn Pins, to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

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

Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss:
DUBUQUE COUNTY)

On this 12th day of May,. 2014, before me, the undersigned, a Notary Public in and for said County, in said State, personally appeared , Christopher Knipper and Teresa Knipper, to me known to be the identical persons named in and who executed the within and foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

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