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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Preparer Information Thomas J. Hanson, 401 East Main Street, Manchester, (563) 927-5920
Individual's Name Street Address City Phone

Thomas J. Hanson, ISBA # 02110

SPACE ABOVE THIS LINE FOR RECORDER

WELL AGREEMENT

THIS AGREEMENT made and entered into this 11th day of June, 2015 by and between Michael R. Falconer, a single person (hereinafter "First Party") and Elwyn E. Curtis and Linda J. Curtis, husband and wife (hereinafter "Second Parties")

WHEREAS, First Party owns the following described real estate located in Delaware County, Iowa:

> Lot Two (2) of North Ridge Subdivision located in the SE ¼ of the SW ¼ of Section 18, Twp 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa, according to plat recorded in Book 7 Plats, Page 65.

AND WHEREAS, Second Parties own the following described real estate located in Delaware County, Iowa:

> Lot One (1) of North Ridge Subdivision in the Southeast Quarter of the Southwest Quarter of Section 18, Township 89 North, Range 5 West of the 5th Principal Meridian, according to plat recorded in Book 7 Plats, Page 65.

AND WHEREAS, There is a well located on the real estate owned by Second Parties which is owned by both parties and which will serve the real estate owned by both parties; and the electrical service for the well is located on the real estate owned by First Party.

AND WHEREAS, the parties wish to enter into an Agreement to establish their rights and obligations with regard to the well.

IT IS THEREFORE AGREED AS FOLLOWS:

1. First Party shall have the right to obtain water from the well. Said well and pump shall be used in conjunction with Second Parties and all persons residing at the residence of Second Parties.

2. First Party is allowed to hook on to the well and run a waterline from the well to First Party's residence. All costs associated with hooking on to the water system, running the waterline and all repairs and replacements to the waterline running from the well to First Party's residence shall be paid by First Party. In addition, First Party is hereby granted an Easement over and across that portion of the real estate owned by Second Parties in order to provide access to the water line, well and pump as needed to inspect, maintain and repair the same. First Party shall be obligated to return to its natural condition any soil or earth disturbed by inspection, repair, replacement, or maintenance of the water line.

3. The parties agree that all future inspections, repairs, replacement and/or maintenance of the well and pump shall be paid one-half by First Party and one-half by Second Parties.

4. Second Parties shall be required to pay to First Party a monthly fee in the amount of $1.10 per month for each person residing at the residence to pay for the cost of electricity for pumping water. In addition, in any month in which Second Parties use water for watering their lawn they shall pay an additional $5.00 for each said month. The parties further agree that the amount to be paid by Second Parties to First Party shall be reviewed on July 1, 2017 and every two years thereafter, and said fee shall be increased according to any increase in costs of electricity for pumping the water.

5. This Agreement shall be binding upon the parties hereto, their heirs, successors and assigns and shall be considered an Agreement that runs with the land.

First Parties:

Michael R. Falconer
Michael R. Falconer

Second Party:

Elwyn E. Curtis
Elwyn E. Curtis

Linda J. Curtis
Linda J. Curtis

STATE OF IOWA, COUNTY OF DELAWARE

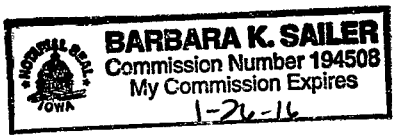
This record was acknowledged before me on this 11th day of June, 2015 by Michael R. Falconer, a single person.

BARBARA K. SAILER
Commission Number 194508
My Commission Expires
1-26-16

Barbara K. Sailer
Notary Public In And For The State
Of Iowa

STATE OF IOWA, COUNTY OF DELAWARE

This record was acknowledged before me on this 11th day of June, 2015 by Elwyn E. Curtis and Linda J. Curtis, husband and wife.



Barbara K Sailer
Notary Public In And For The State
Of Iowa