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Document 2016 3396 Type 06 006 Pages 5
Date 12/09/2016 Time 10:41:03AM
Rec Amt $27.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Env
Scallon Custom Homes
3610 Spring Valley Pl NE
Cedar Rapids, IA 52411

Prepared by and return to: Daniel L. Seufferlein, 4056 Glass Rd. NE, Cedar Rapids, Iowa 52402 319.393.9090

SEPTIC SYSTEM AGREEMENT

This Agreement, made and entered into this 20th day of September, 2016 by and between John and Cynde Stoklasa ("Stoklasas") and Scallon Custom Homes, LLC ("Scallon");

WITNESSETH:

WHEREAS, Stoklasas, are the owners of property commonly known as 24378 204th Ave, Manchester, Iowa, which property is more fully described as follows, to wit:

[SEE ATTACHED EXHIBIT A]

and,

WHEREAS, Scallon, is the owner of property commonly known as 24372 204th Ave, Manchester, Iowa, which property is more fully described as follows, to wit:

[SEE ATTACHED EXHIBIT B]

and,

IT IS THEREFORE AGREED AS FOLLOWS:

1. That Stoklasas agree to permit Scallon to place the septic field on Scallon's property and up to, but not beyond, the property line to the Stoklasas property.

2. That the term of this Agreement shall be perpetual, except as herein limited.

3. That the benefits and burdens of this Agreement shall constitute a covenant running with the parcels of land herein described and shall be binding upon the heirs, successors in title and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first above written.

John Stoklasa
John Stoklasa

Date 11-26-2016

Cynde Stoklasa
Cynde Stoklasa

Date 11-26-2016

Paul Scallon
Scallon Custom Homes, LLC by
Paul Scallon, Manager

Date 11-2016

ACKNOWLEDGEMENTS

STATE OF IOWA)
) ss.
COUNTY OF Delaware)

On this 26 day of November, 2016 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared

John and Cynde Stoklasa, to me known to be the identical persons named in and who executed the same as their voluntary act and deed.

CHRISTINE DAVIS
Commission Number 771399
My Commission Expires
January 27, 2018

Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
COUNTY OF Linn)

On this 20th day of September, 2016 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Paul Scallon, Manager of Scallon Custom Homes, LLC, to me known to be the identical person named in and who executed the same as his voluntary act and deed.

DEGWEN PFLUGHAUPT
Commission Number 793640
My Commission Expires
12-16-2018

Notary Public in and for the State of Iowa

EXHIBIT "A"

Lot Nine (9) of Logan's First Subdivision of part of the North Half (N½) of Section Twenty-three (23), Township Eighty-eight (88) North, Range Five (5) West of the Fifth Principal Meridan.

Also all right, title, interest, claim and demand, of Grantors, in and to the lake frontage running to the middle of the Maquoketa River bed, with respect to said premises, title to which is not warranted by Grantors. This conveyance is made subject to the existing flood plain rights, and Grantees shall not hold Grantors or their predecessors in title hereunder, liable with regard to the flooding of the property covered, and Grantees and their successors and assigns, shall not change or alter the lake frontage without written permission of the Lake Delhi Recreation Association, Inc.

The right to use the present access road is included, and this conveyance is subject to the use of said access road by all owners and tenants occupying lots in said subdivision.

EXHIBIT "B"

Lot Ten (10) of Logan's First Subdivision of Part of the North one-half (N 1/2) of Section Twenty Three (23), Township eighty Eight (88) North, Range Five (5), West of the Fifth Principal Meridian, according to plat recorded in Book 4 Plats, Page 46; also all lake frontage running to the middle of the Maquoketa River bed abutting said Lot Ten (10), except Parcel X Part Of The Lake Frontage Running to the Middle of the Maquoketa River Bed, Abutting on Lot 10 of Logan's First Subdivision of Part of the North Half (N 1/2) of Section Twenty-Three (23), Township Eighty-Eight North (T88N), Range Five West (R5W) of the Fifth Principal Meridian, Delaware County, Iowa, according to plat recorded in Book 2007, Page 3322. This is a Deed in fulfillment of a Real Estate Contract filed December 13, 2007 in Book 2007 Page 3987 in the records of the Delaware County Recorder. Section 428A.4 of the Iowa Code. The General Warranties in this Deed run through the date of the recording of the Contract on December 13, 2007 and the Special Warranties as to Sellers run through the date of this Deed.