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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Entered for taxation 22nd day
of January AD 2018
Carla K. Becker Auditor
By J. Hildebrand Deputy

Wendi Bitterman
301 W. Main St
Manchester IA 52057

Prepared by/Return to: Marty L. Stoll, Shuttleworth & Ingersoll, P.L.C., P.O. Box 2107, Cedar Rapids, IA 52406-2107; (319) 365-9461

RE: Lots 7 and 8, Whitetail Ridge Subdivision, Delaware County, Iowa, according to plat recorded in Book 8 Plats, Page 118 ("Lots 7 and 8")

5-88-4

AGREEMENT REGARDING
ROAD RIGHT OF WAY AND UTILITY EASEMENT

This Agreement regarding Road Right of Way and Utility Easement (this "Agreement") amends the road right of way and utility easement established by that certain Dedication of Easement dated April 15, 1998, filed with and shown as a 66' Private Access & Utility Easement on the Plat of Survey for Whitetail Ridge Subdivision, Delaware County, Iowa, recorded on April 21, 1998, in Book 8 Plats, Page 118 (the "Easement").

Paul D. Roberg and Jill A. Roberg, husband and wife, are the record owners of Lot One (1) of Whitetail Ridge Subdivision, Delaware County, Iowa, according to the plat recorded in Book 8 Plats, Page 118 ("Whitetail Ridge Subdivision");

Paul R. Temeyer and Helen N. Temeyer, husband and wife, are the record owners of Lot Two (2) and Lot Three (3) of Whitetail Ridge Subdivision;

Randy L. Parrott and Lu Ann K. Parrott, husband and wife, are the record owners of Lot Four (4) of Whitetail Ridge Subdivision;

David J. Scherbring and Debra L. Scherbring, husband and wife, are the record owners of Lot Five (5) of Whitetail Ridge Subdivision;

Steven L. Moss and Becky M. Moss, husband and wife, are the record owners of Lot Six (6) of Whitetail Ridge Subdivision; and

Randy Shover and Mary Jo Shover, husband and wife, are the record owners of Lots 7 and 8.

For good and valuable consideration, the receipt and sufficiency of which is acknowledged, the above owners hereby agree as follows:

1. The Easement shall be reduced from its current width of sixty-six feet (66') along the northern side of Lots 7 and 8, to a width of nine feet (9') along the northern side of Lots 7 and 8 for the road right of way and forty-five feet (45') along the northern side of Lots 7 and 8 for the utility easement.

2. The Easement along the eastern side of Lot 8 shall be removed in its entirety.

3. The remaining nine foot (9') wide Easement along the northern side of Lots 7 and 8 for the road right of way and remaining forty-five foot (45') wide Easement along the northern side of Lots 7 and 8 for the utility easement shall remain subject to the Declaration of Protective Covenants, Conditions, Restrictions and Grants of Whitetail Ridge Subdivision, Delaware County, Iowa dated April 17, 1998, recorded on April 21, 1998, in Book 8, Page 15, of the records of the office of the Delaware County, Iowa Recorder, as amended.

4. This Agreement is perpetual and shall run with the land and shall be binding upon the parties hereto, their heirs, successors and assigns.

5. Proper venue and jurisdiction for any disputes arising from this Agreement shall be the Iowa District Court in and for Delaware County in Manchester, Iowa. Each party hereto submits to the personal and subject matter jurisdiction of said Court.

6. Expenses for updating the Abstracts of Title of Lots 1 through 8 of Whitetail Ridge Subdivision to reflect this Agreement will be the responsibility of the new owner of Lots 7 and 8.

Dated: 1-10-2018.

Paul D. Roberg

Jill A. Roberg

STATE OF IOWA, DELAWARE COUNTY, ss.

This instrument was acknowledged before me this 10 day of January, 2018, by Paul D. Roberg and Jill A. Roberg, husband and wife.

CATHY L GREIF
Commission Number 175823
My Commission Expires
8-31-2018

Notary Public in and for the State of Iowa

Paul R. Temeyer

Helen N. Temeyer

STATE OF IOWA, DELAWARE COUNTY, ss.

This instrument was acknowledged before me this 20 day of December, 2017, by Paul R. Temeyer and Helen N. Temeyer, husband and wife.

JILL A. ROBERG
Commission Number 731835
My Commission Expires
12/7/2019

Notary Public in and for the State of Iowa

Randy L. Parrott

Lu Ann K. Parrott

STATE OF IOWA, DELAWARE COUNTY, ss.

This instrument was acknowledged before me this 20 day of December, 2017, by Randy L. Parrott and Lu Ann K. Parrott, husband and wife.

JILL A. ROBERG
Commission Number 731835
My Commission Expires
12/7/2019

Notary Public in and for the State of Iowa

David J. Scherbring

Debra L. Scherbring

STATE OF IOWA, DELAWARE COUNTY, ss.

This instrument was acknowledged before me this 20 day of December, 2017, by David J. Scherbring and Debra L. Scherbring, husband and wife.

JILL A. ROBERG
Commission Number 731835
My Commission Expires
12/7/2019

Notary Public in and for the State of Iowa

Steven L. Moss

Becky M. Moss

STATE OF IOWA, DELAWARE COUNTY, ss.

This instrument was acknowledged before me this 20 day of December, 2017, by Steven L. Moss and Becky M. Moss, husband and wife.

JILL A. ROBERG
Commission Number 731835
My Commission Expires
12/7/2019

Notary Public in and for the State of Iowa

Randy Shover

Mary Jo Shover

STATE OF IOWA, DELAWARE COUNTY, ss.

This instrument was acknowledged before me this 27 day of December, 2017, by Randy Shover and Mary Jo Shover, husband and wife.

JILL A. ROBERG
Commission Number 731835
My Commission Expires
12/7/2019

Notary Public in and for the State of Iowa