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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared By & Return to: Steven E. Carr, PO Box 333, Manchester, Iowa 52057 (563) 927-4164

WELL AGREEMENT

Randall Lynn Fergesen and Marcia Mae Fergesen, a married couple (hereinafter "First Party"), Mark D. Kintzle, Trustee of Mark D. Kintzle Revocable Trust dated May 30, 2024 (hereinafter "Second Party"), and Melanie Hannah aka Melanie Kintzle and Drew Hannah, a married couple (hereinafter "Third Party"), in consideration of their mutual promises and performances herein agree as follows:

1. First Party owns the following described real estate:

   Mobile home on leased land described as Lot Six (6) of Schmidt's Farm & Lake Subdivision, a Subdivision of Parcel 2017-87 in Sec. 23, and Sec. 26 all in T88N, R5W Of the Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2021, Page 1603

2. Second Party owns the following described real estate:

   Lot Seven (7) of Schmidt's Farm & Lake Subdivision, a Subdivision of Parcel 2017-87 in Sec. 23 and Sec. 26 all in T88N, R5W of the Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2021, Page 1603
   and
   Lot Forty-Four (44) of Schmidt's Farm & Lake Second Subdivision, a subdivision of Parcel 2017-86 in Sec. 23, and Sec. 26 all in T88N, R5W of the Fifth P.M., Delaware County, Iowa, according to Plat recorded in Book 2022, Page 3193 on October 25, 2022, in the Office of the Delaware County Recorder

2. Third Party owns the following described real estate:

> Lot Eight (8) of Schmidt's Farm & Lake Subdivision, a Subdivision of Parcel 2017-87 in Sec. 23, and Sec. 26 all in T88N, R5W Of the Fifth P.M., Delaware County, Iowa, according to plat recorded in Book 2021, Page 1603
> and
> Lot Forty-Three (43) of Schmidt's Farm & Lake Second Subdivision, a subdivision of Parcel 2017-86 in Sec. 23, and Sec. 26 all in T88N, R5W of the Fifth P.M., Delaware County, Iowa, according to Plat recorded in Book 2022, Page 3193 on October 25, 2022, in the Office of the Delaware County Recorder

3. A well and pump is located on property of First Party.

4. All three of the above properties have been served by water from the well and shall continue as herein.

6. Any repairs to the well including the pressure tank shall be shared equally by the parties.

7. Each party shall be solely responsible for any repair, maintenance or replacement of their water lines running from the well.

8. First Part grants to Second Party and Third Party, reasonable access to the well and connecting lines for inspection, maintenance, and repair.

9. Second Party and Third Party shall pay First Party for electricity for the pumping of water. Such amount shall be in keeping with the intent of equal contributions by the parties and may be adjusted accordingly.

10. Water usage is restricted to reasonable residential purposes and no commercial or agricultural water use is allowed without prior approval of the parties.

11. All parties understand and agree there is no warranty as to the quality of the water.

12. Nothing herein shall be construed to prohibit either Second Party or Third Party from sourcing their own water which will remove such party from any further obligations herein.

13. This agreement shall be perpetual and shall be binding upon the heirs, successors and assigns of the parties hereto.

Dated this 26th day of November, 2024.

Randall Lynn Fergesen

Marcia Mae Fergesen

Mark D. Kintzle, Trustee

Melanie Hannah

Drew Hannah

STATE OF IOWA)
)
DELAWARE COUNTY)

This instrument was acknowledged before me on this 1st day of April, ~~2024~~ 2025 by Randall Lynn Fergesen and Marcia Mae Fergesen.

STEVEN E. CARR
Commission Number 713328
My Commission Expires
October 30,2025

Notary Public in and for the State of Iowa

STATE OF IOWA)
)
DELAWARE COUNTY)

This instrument was acknowledged before me on this 26th day of November 2024 by Mark D. Kintzle as Trustee of Mark D. Kintzle Revocable Trust dated May 30, 2024.

Melinda S. Wilson
Notary Public in and for the State of Iowa

NOTARIAL SEAL IOWA
MELINDA S. WILSON
Commission Number 826456
My Commission Expires
September 2, 2026

STATE OF IOWA)
)
DELAWARE COUNTY)

This instrument was acknowledged before me on this 26th day of November 2024 by Melanie Hannah aka Melanie Kintzle and Drew Hannah.

Kristin Burroughs
Notary Public in and for the State of Iowa

NOTARIAL SEAL IOWA
KRISTIN BURROUGHS
Commission Number 841569
MY COMMISSION EXPIRES
AUGUST 12, 2025