ACME-BLACKMAN CO. BURLINGTON 70110

Patrick Cline and Ed Kipp
to
Mid-Continent Petroleum Corporation.

#1687

Fee $.70 ✓

Filed for record the 20 day of August A. D. 1929 at 11:00 o'clock A. M.

Mildred E. Knott, Recorder
Zelda Wildin, Deputy.

AGREEMENT

THIS AGREEMENT made and entered into this Seventh day of August, 1929, by and between Patrick Cline, of Winterset, Madison County, Iowa, first party, and Ed Kipp, of Winterset, Madison County, Iowa, second party, and MID-CONTINENT PETROLEUM CORPORATION, a corporation of the State of Kentucky, with Division Offices in Waterloo, Black Hawk County, Iowa, third party, WITNESSETH:

WHEREAS, the first and second parties hereto have hitherto constructed and maintained, at an initial cost of One Hundred Twenty & no/100 Dollars ($120.00), a sewer in the private alley between Hartsook Implement Building and Danforth's Garage, in the City of Winterset, Madison County, Iowa, and commencing at a connection with the city sewer in the city alley of Block No. Eleven (11), thence along said private alley a distance of ninety feet (90') to the "Y" leading to the private residence of the second party, the said private alley being located on land described as follows:

The north one half of Lots Three (3) and four (4) in Block Eleven (11) of the Original town of Winterset, Iowa, Except sixteen feet (16) off the East side thereof for alley purposes,it being understood that one half of the north partition wall of the building, located on the south one half of the above described lots is included in this conveyance., and

WHEREAS, the said third party is desirous of connecting to said sewer and to use and maintain it in equal benefit and maintenance expense with the first and second parties,

NOW, THEREFORE, in consideration of the premises and the following mutual covenants and agreements and the payment by the third party to the first and second parties of the sum of Forty & no/100 Dollars ($40.00), that is to say, said sum of Forty Dollars to be divided equally between the first and second parties, receipt of which is hereby acknowledged, the said first and second parties have bargained and sold and by these presents do grant and convey unto the said third party, its successors and assigns, an undivided one-third interest in and to the said sewer in the private alley connecting to the city sewer above described, having a length of ninety feet, and the said sewer shall be and become the common property of the parties hereto and the title to said sewer shall be and vest in the parties equally.

And the first and second parties covenant that they are well and lawfully seized of said sewer and do hereby covenant with the said third party, its successors and assigns, to warrant and defend the sale of said one-third interest in and to said sewer hereby made to the said third party, its successors and assigns, and against all and every person whomsoever.

And it is further understood and agreed that the parties are equally liable for the repair and maintenance of said sewer and the first and second parties further agree to permit the third party to enter the premises described above for the purpose of inspection and repair of said sewer as the third party's interest may appear, at any reasonable time.

IN WITNESS WHEREOF the parties hereto have affixed their signatures and seals the day and year first above written.

Patrick Cline (SEAL)
First Party
Ed Kipp (SEAL)
Second Party

MID-CONTINENT PETROLEUM CORPORATION.
Third Party
By L. V. Surtees (SEAL)
Division Manager.

STATE OF IOWA
ss
COUNTY OF MADISON

On this 7 day of August A. D. 1929, before me, Mabel C. Anderson a Notary Public in

and for Madison County, Iowa, personally appeared Patrick Cline and Ed Kipp to me known to be the persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their free and voluntary act and deed.

Witness my hand and notarial seal the day and year last above written.

Mabel C. Anderson

(SEAL) NOTARIAL SEAL

My Commission expires July 4-1930

Notary Public in and for Madison County, Iowa.