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LISA SMITH, COUNTY RECORDER
MADISON COUNTY IOWA

AGREEMENT

Prepared by and return to: Aaron M. Hubbard, Critelli & Hubbard, P.C., 9902 Swanson Boulevard, Des Moines, Iowa 50325-6932 (515) 255-8750

Grantor/Affiant: Doreen Kay Ferris; Frank Charles Butler and Arvana M. Butler; Stanley F. Rogers and Carolyn L. Rogers; Terry D. Davenport and Dorothy E. Davenport; Linda Joy Gray; Mike Petro; and Andre Outlaw

Grantee: The Public

Legal Description: Lots One (1) through Eight (8) of Cunningham Rural Estates Sub-District, Madison County, Iowa, located in the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Fourteen (14) and in the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty-three (23) in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa

RE: Cunningham Rural Estates Sub-District located in Madison County, Iowa

We, the undersigned, owners of Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Eight (8) in Cunningham Rural Estates, a subdivision located on the following described real estate, to-wit:

A part of the Southwest Quarter (SW^{1/4}) Southwest Quarter (SW^{1/4}) of Section 14-T75N-R26W and part of the Northwest Quarter (NW^{1/4}) of Section 23-T75N-R26W of the 5th P.M., Madison County, Iowa

hereby make the following covenants and agreements for maintenance of a private road traversing said Cunningham Rural Estates and legally described in the Quit Claim Deed attached hereto and a small lake and dam situation on Cunningham Rural Estates:

Andre Outlaw has not signed this agreement as he has stated to the preparer that he is not a part of the homeowner's association, does not use the pond, and gains access to his property by means other than the common road. All parties to this agreement have consented to Mr. Outlaw not signing the Agreement.

I.

By agreement of the owners of Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6) and Eight (8), the now record title holder of Lot Seven (7), Linda Joy Gray, shall no longer be responsible for and liable for maintenance and improvement of the private road and/or the small lake and dam situated on Cunningham Rural Estates. Such expense shall now be the responsibility of and be paid by the title holders of all Lots in Cunningham Rural Estates, with the exception of the title holder of Lot Seven (7). Said responsibility shall be apportioned as per previous agreement.

II.

It is understood that the record title holder to Lot Seven (7) shall no longer have a perpetual easement, running with the land, for the use and enjoyment of the private road, lake and dam situated upon Cunningham Rural Estates and the right of ingress and egress thereto which is reasonably necessary for such use and enjoyment of such facilities. The record title holder to said Lot Seven (7) has quit claimed any interest she has in said private road or facilities, and said Quit Claim Deed is binding upon said record title holders, successors or assigns.

III.

The record title holder of said Lot Seven (7) shall no longer be responsible to maintain insurance in connection with the use of the private road, lake and dam, and, in

exchange, she shall no longer be held jointly liable for the settlement of any claims that may arise out of, or be connected with, the use of said private road, lake and dam.

The purpose of this Agreement is to allow the title holder to Lot Seven (7) to be relieved of any responsibility for maintenance or any other expense or liability concerning said private road, lake and dam. In exchange, the titleholder to Lot Seven (7) shall have no interest in, and right of use in, said private road, lake and dam by virtue of her quit claiming all interest she may have in the same.

Doreen Kay Ferris
Grantor, Doreen Kay Ferris (Lots 1, 2 and 3)

STATE OF IOWA, COUNTY OF Madison, ss:

On this 8th day of October, 2009, before me, a Notary Public, personally appeared Doreen Kay Ferris, to me known to be the identical persons named in and who executed this Agreement, and acknowledged that they executed the same as their voluntary act and deed.

Diane M. Daniels
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

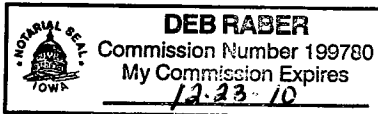


Frank Charles Butler
Grantor, Frank Charles Butler (Lot 4)

Arvana M. Butler
Grantor, Arvana M. Butler (Lot 4)

STATE OF IOWA, COUNTY OF Polk, ss:

On this 7th day October, 2009, before me, a Notary Public, personally appeared Frank Charles Butler and Arvana M. Butler, to me known to be the identical persons named in and who executed this Agreement, and acknowledged that they executed the same as their voluntary act and deed.



Deb Raber

NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

Grantor, Stanley F. Rogers (Lot 5)

Grantor, Carolyn L. Rogers (Lot 5)

STATE OF IOWA, COUNTY OF _____, ss:

On this _____ day of _____, 2009, before me, a Notary Public, personally appeared Stanley F. Rogers and Carolyn L. Rogers, to me known to be the identical persons named in and who executed this Agreement, and acknowledged that they executed the same as their voluntary act and deed.

NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

Grantor, Terry D. Davenport (Lot 6)

Grantor, Dorothy E. Davenport

STATE OF IOWA, COUNTY OF _____, ss:

On this _____ day of _____, 2009, before me, a Notary Public, personally appeared Terry D. Davenport and Dorothy E. Davenport, to me known to be the identical persons named in and who executed this Agreement, and acknowledged that they executed the same as their voluntary act and deed.

NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

Grantor, Frank Charles Butler (Lot 4)

Grantor, Arvana M. Butler (Lot 4)

STATE OF IOWA, COUNTY OF _____, ss:

On this ____ day _____, 2009, before me, a Notary Public, personally appeared Frank Charles Butler and Arvana M. Butler, to me known to be the identical persons named in and who executed this Agreement, and acknowledged that they executed the same as their voluntary act and deed.

NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

Stanley F. Rogers
Grantor, Stanley F. Rogers (Lot 5)

Carolyn L. Rogers
Grantor, Carolyn L. Rogers (Lot 5)

STATE OF IOWA, COUNTY OF Madison, ss:

On this 8th day of October, 2009, before me, a Notary Public, personally appeared Stanley F. Rogers and Carolyn L. Rogers, to me known to be the identical persons named in and who executed this Agreement, and acknowledged that they executed the same as their voluntary act and deed.



Diane M. Daniels
NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

Grantor, Terry D. Davenport (Lot 6)

Grantor, Dorothy E. Davenport

STATE OF IOWA, COUNTY OF _____, ss:

On this ____ day of _____, 2009, before me, a Notary Public, personally appeared Terry D. Davenport and Dorothy E. Davenport, to me known to be the identical persons named in and who executed this Agreement, and acknowledged that they executed the same as their voluntary act and deed.

NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

Grantor, Frank Charles Butler (Lot 4)

Grantor, Arvana M. Butler (Lot 4)

STATE OF IOWA, COUNTY OF _____, ss:

On this ____ day _____, 2009, before me, a Notary Public, personally appeared Frank Charles Butler and Arvana M. Butler, to me known to be the identical persons named in and who executed this Agreement, and acknowledged that they executed the same as their voluntary act and deed.

NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

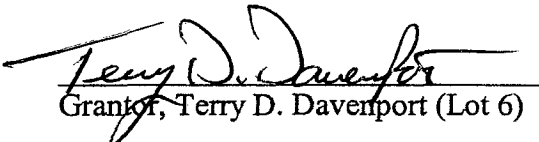
Grantor, Stanley F. Rogers (Lot 5)

Grantor, Carolyn L. Rogers (Lot 5)

STATE OF IOWA, COUNTY OF _____, ss:

On this ____ day of _____, 2009, before me, a Notary Public, personally appeared Stanley F. Rogers and Carolyn L. Rogers, to me known to be the identical persons named in and who executed this Agreement, and acknowledged that they executed the same as their voluntary act and deed.

NOTARY PUBLIC IN AND FOR THE STATE OF IOWA



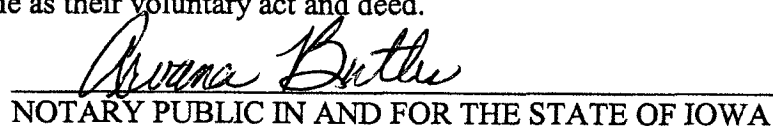
Grantor, Terry D. Davenport (Lot 6)



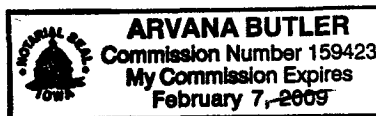
Grantor, Dorothy E. Davenport

STATE OF IOWA, COUNTY OF Madison, ss:

On this 16th day of October, 2009, before me, a Notary Public, personally appeared Terry D. Davenport and Dorothy E. Davenport, to me known to be the identical persons named in and who executed this Agreement, and acknowledged that they executed the same as their voluntary act and deed.



NOTARY PUBLIC IN AND FOR THE STATE OF IOWA



*Expires 2/7/12
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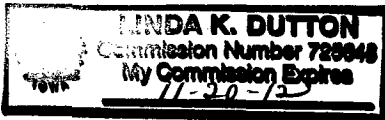
Mike Petro

Grantor, Mike Petro

(All that part of Lot Eight (8) of Cunningham Rural Estates, a Subdivision of part of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Fourteen (14) and of part of the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty-three (23) in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, lying East of the center line of the 40 foot wide private drive and utility easement extending across said Lot)

STATE OF IOWA, COUNTY OF Madison, ss:

On this 6th day of Oct, 2009, before me, a Notary Public, personally appeared Mike Petro, to me known to be the identical person named in and who executed this Agreement, and acknowledged that he executed the same as his voluntary act and deed.



Linda K. Dutton

NOTARY PUBLIC IN AND FOR THE STATE OF IOWA

~~Grantor, Andre Outlaw~~

~~(All that part of Lot Eight (8) of Cunningham Rural Estates, a Subdivision of part of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of Section Fourteen (14) and of part of the Northwest Quarter (1/4) of the Northwest Quarter (1/4) of Section Twenty-three (23) in Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, lying West of the center line of the 40 foot wide private drive and utility easement extending across said Lot)~~

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~~STATE OF IOWA, COUNTY OF _____, ss:~~

~~On this _____ day of _____, 2009, before me, a Notary Public, personally appeared Andre Outlaw, to me known to be the identical person named in and who executed this Agreement, and acknowledged that he executed the same as his voluntary act and deed.~~

~~NOTARY PUBLIC IN AND FOR THE STATE OF IOWA~~