

ASSIGNMENT

FOR VALUE RECEIVED, Joe Drake and Catherine Drake, husband and wife, of Winterset, Madison County, Iowa, do hereby assign and transfer to Jay Sawtell, all of their right to use the water from the wells located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 6, Township 75 North, Range 29 West of the 5th P.M., Madison County, Iowa. That said right to use the water from the wells located thereon was provided for in the Last Will And Testament of Everett E. Drake, deceased, which was probated in the Iowa District Court For Madison County, Iowa, under Probate No. 4957, in Probate Docket L, Page 302.

The right to use the water from the wells located on the real estate herebefore described was established for the purpose of providing water to the following described real estate, to-wit:

A parcel of land in the Southwest Quarter of the Southwest Quarter of Section 5, in the Southeast Quarter of the Southeast Quarter of Section 6, in the Northeast Quarter of the Northeast Quarter of Section 7, and in the Northwest Quarter of the Northwest Quarter of Section 8, all in Township 75 North, Range 29 West of the 5th P.M., Madison County, Iowa, more particularly described as follows:

Commencing at the North Quarter Corner of Section 7, T75N, R29W of the 5th P.M., Madison County, Iowa; thence, along the North line of the NE $\frac{1}{4}$ of said Section 7, North 90°00'00" East, 1,769.82 feet; thence South 00°00'00", 33.54 feet to the point of beginning. Thence North 89°44'01" East, 263.96 feet; thence South 01°26'58" West, 131.56 feet; thence North 89°53'03" East, 261.93 feet; thence North 01°21'01" West, 197.43 feet; thence North 80°44'09" East, 214.48 feet; thence North 74°48'03" East, 126.59 feet; thence North 83°54'14" East 241.76 feet; thence South 00°56'19" East, 542.54 feet; thence North 90°00'00" West, 244.00 feet; thence North 63°15'06" West, 164.35 feet; thence North 90°00'00" West, 123.00 feet; thence North 00°00'00", 79.72 feet; thence North 90°00'00" West 584.50 feet; thence North 00°41'55" West, 227.78 feet to the point of beginning. Said parcel of land contains 8.000 Acres.

COMPUTER
RECORDED
COMPARED

REC \$ 15.00
AUD \$ _____
R.M.F. \$ 1.00

FILED NO. 885
BOOK 133 PAGE 421
94 SEP 27 PM 3:22
MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

#2. Assignment
Drake - Sawtell

It is expressly agreed between Joe Drake and Catherine Drake, husband and wife, as Assignors, and Jay Sawtell, as Assignee, that Assignors are hereby assigning only what right they have to use the water from the wells herebefore described, if any. That if said right to obtain water has been previously terminated or is terminated in the future, the Assignors, Joe Drake and Catherine Drake, shall have no obligation or liability to the Assignee and the Assignee, Jay Sawtell, expressly releases said Joe Drake and Catherine Drake from any damages incurred because of the inability to obtain water from said wells.

Dated this 20 day of April, 1994.

Joe D Drake
Joe Drake

Catherine Drake
Catherine Drake

STATE OF IOWA :
 : SS
MADISON COUNTY :

On this 20 day of April, 1994, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Joe Drake and Catherine Drake to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.



D. Nelson
Notary Public in and for the State of Iowa.

ACCEPTANCE OF ASSIGNMENT

I, Jay Sawtell, hereby accept the foregoing Assignment of the right to use water from a well subject to the terms and conditions therein stipulated.

Dated this 27 day of September, 1994.

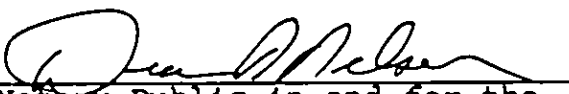
Jay Sawtell
Jay Sawtell

#3. Assignment
Drake - Sawtell

STATE OF IOWA :
 : SS
MADISON COUNTY :

On this 27 day of September, 1994, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Jay Sawtell to me known to be the identical person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.




Notary Public in and for the
State of Iowa.