



✓ Book 2007 Page 3325

Document 2007 3325 Type 06 008 Pages 8
Date 10/11/2007 Time 3:47:33PM
Rec Amt \$42.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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

AMENDMENT TO ARTICLES OF ASSOCIATION OF
NORTHEAST BEACHLAND WATER ASSOCIATION
(Original recorded in Book S, Page 6)

We, the undersigned, Ramon J. Wycoff and Marilyn Dee Wycoff, husband and wife; James Kerton and Linda Kerton, husband and wife; Brad A. Lewin and Laura A. Lewin, husband and wife; Richard L. Beaudine and Marilyn I. Beaudine, husband and wife; Carl E. Whitaker and Verla Toletha Whitaker, husband and wife; Peter D. Wessels and Lori L. Wessels, husband and wife; Cornelia C. Stefl, a single person; Manfred Joseph Hepke and Sharone Hepke, husband and wife; Adoulf Kimball and Mary Lou Kimball, husband and wife; Floyd H. Thacher, a single person; David J. Huber and Jeanne A. Huber, husband and wife; and Scott Westcott and Jolene Westcott, husband and wife; all of the County of Delaware and State of Iowa, do hereby associate ourselves together under the name of Northeast Beachland Water Association for the purposes hereinafter set out and referred to.

WHEREAS, the parties aforementioned are the owners of the real estate located and situation in Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18) and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., in Delaware County, Iowa according to the recorded plat thereof, as set out below:

Ramon J. Wycoff and Marilyn D. Wycoff

Lots Eighteen (18), Nineteen (19), Twenty (20) and Twenty One (21), Block One (1), of Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M

James Kerton and Linda Kerton

Lots Six (6), Seven (7), Eight (8) and Nine (9), Block One (1) of Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M. according to plat recorded in Book 2 Plats, page 20;

same being a part of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Sec. 17, excepting rights if flowage in Delaware County

Brad A. Lewin and Laura A. Lewin

Lot Twenty Four (24), Block One (1), of Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18) and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., according to plat recorded in Book 2, page 20, said Lot being a part of the Southwest quarter of the Southwest quarter of said Section Seventeen (17); excepting rights of flowage.

AND

That part of the East 20.0 feet of Sunset View Road lying and being adjacent to the West line of Lot 24, Block One (1), Sunset Beach Subdivision, a subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M.

Richard L. Beaudine and Marilyn I. Beaudine

Lots Sixteen (16) and Seventeen (17), Block One (1), Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., according to plat recorded in Book 2 Plats, Page 20, said lots being a part of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Seventeen (17); excepting right of flowage.

Carl E. Whitaker and Verla Toletha Whitaker

Lots Eleven (11), Twelve (12), Thirteen (13), Fourteen (14) and Fifteen (15) in Block One (1), of Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., Delaware County, Iowa, according to the Plat thereof; the same being a part of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section Seventeen (17) aforesaid, excepting rights of flowage.

Peter D Wessels and Lori L. Wessels

Lot Ten (10), Block One (1), Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., according to plat recorded in Book 2 Plats, page 20, said lot being a part of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Seventeen (17); excepting rights of flowage.

Cornelia C. Stefl

Lots Twenty Eight (28), Twenty Nine (29), Thirty (30) and Thirty One (31), of Block One (1), of Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M.; also a tract of land described as commencing at the Southwest corner of Lot Twenty Eight (28) described above thence West Twenty (20) feet, thence North Two hundred (200) feet, thence East Twenty (20) feet to Northwest corner of Lot Thirty One (31) described above, thence South to point of beginning.

Manfred Joseph Hepke

Lots Thirty Two (32) and Thirty Three (33) of Block One (1), of Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M.; also a piece of land described as commencing at the Southwest corner of said Lot Thirty Two (32), thence West Twenty (20) feet, thence North One hundred (100) feet, thence East Twenty (20) feet to Northwest corner of the above described Lot Thirty Three (33), thence South to the point of beginning.

Adoulf Kimball and Mary Lou Kimball

Lots Twenty-five (25) and Twenty-six (26), Block One (1), and that part of the East 20.0 feet of Sunset View lying and being adjacent to said Lots Twenty-five (25) and Twenty-six (26), Block One (1), all in Sunset Beach, a Subdivision of part of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., according to plat recorded in Book 2, Plats, Page 20; excepting rights of flowage

Floyd H. Thacher ~~and Vera C. Thacher~~

Lots Thirty-nine (39), Forty (40), and Forty-one (41), Block One (1), and the East Twenty (20) feet of Sunset View Road lying and being adjacent to the West line of said Lots, all in Sunset Beach, a Subdivision of part of Section Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty-nine (89) North, Range Five (5), West of the Fifth Principal Meridian

David J. Huber and Jeanne A. Huber (contract seller) and Scott Westcott and Jolene Westcott (contract buyer)

Lot Twenty Seven (27), Block One (1), Sunset Beach, a Subdivision of parts of Sections Seventeen (17), Eighteen (18), and Twenty (20), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., Delaware County, Iowa, and the East 20 feet of Sunset View Road lying adjacent to the West line of said Lot Twenty Seven (27).

Now, therefore for mutual considerations and for the considerations hereinafter referred to, it is agreed by and between the parties hereto that the original Articles of Association of Northeast Beachland Water Association recorded March 23, 1978 as file number 90-2227 in Book S, Page 6 are amended as follows:

2. (a) Main Water System. A well, pressure tank and one, one and one-quarter inch (1¼") standpipe for connection for emergency use only have been located on the property owned by Ramon J. Wycoff and Marilyn D. Wycoff. The pressure tank only has been moved to the property owned by Adoulf Kimball and Mary Lou Kimball. A one and one-quarter inch (1¼") main pipeline runs from said well north and south along the east side of the twenty foot alley located in the center of Block One of said Sunset Beach. A one and one-quarter inch (1¼") standpipe for emergency connection is located at a point approximately half way between said well and the northerly termination point of said main pipeline.

(b) The Association agrees to assume and pay any actual (special) damages to the Kimball property incurred by reason of the installation of the pressure tank and for actual (special) damage sustained at any future time due to repairs or improvements made thereon.

4. Maintenance Costs. Each of the parties hereto shall pay the sum of \$35.00 each year. Such funds shall be used for payment of bills of electricity, insurance, maintenance and up keep of the said well and water system. At any time that it shall be deemed necessary the Association shall have the right to raise the assessment at any special or regular meeting of the member called for such purpose. So long as Adoulf Kimball and Mary Lou Kimball remain owners of their property described above they will not be held to pay any amount addressed in this paragraph. However, any future owner shall be required to comply with the provisions of this paragraph.

10. (a) Meetings and Elections. Association members shall meet once every five years in the month of June to elect new officers, a President and Secretary/Treasurer. The President and Secretary/Treasurer shall set the date for this meeting and shall notify all members in writing.

Manfred Joseph Hepke is hereby removed from Northeast Beachland Water Association and is released from all further rights and responsibilities.

All other provisions from the original Articles remain in full force and effect and hereby adopted by any owner whose property was not originally included.

Ramon J. Wycoff
Ramon J. Wycoff

James Kerton
James Kerton

Brad A. Lewin
Brad A. Lewin

Richard L. Beaudine
Richard L. Beaudine

Carl E. Whitaker
Carl E. Whitaker

Peter D. Wessels
Peter D. Wessels

Cornelia C. Steff
Cornelia C. Steff

Adoulf Kimball
Adoulf Kimball

Floyd H. Thacher
Floyd H. Thacher

David J. Huber
David J. Huber

Scott Westcott
Scott Westcott

Marilyn Dee Wycoff
Marilyn Dee Wycoff

Linda Kerton
Linda Kerton

Laura A. Lewin
Laura A. Lewin

Marilyn I. Beaudine
Marilyn I. Beaudine

Verla Toletha Whitaker
Verla Toletha Whitaker

Lori L. Wessels
Lori L. Wessels

Manfred Joseph Hepke Sharone Hepke
Manfred Joseph Hepke Sharone Hepke

Mary Lou Kimball
Mary Lou Kimball

~~Vera G. Thacher~~
~~Vera G. Thacher~~

Joanne A. Huber
Joanne A. Huber

Jolene Westcott
Jolene Westcott

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 25th day of February, 2007 by Ramon J. Wycoff and Marilyn Dee Wycoff.



Marie Broghammer
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 25th day of February, 2007 by James Kerton and Linda Kerton.



Marie Broghammer
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 25th day of February, 2007 by Brad A. Lewin and Laura A. Lewin.



Marie Broghammer
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

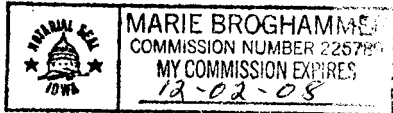
This instrument was acknowledged before me on this 25th day of February, 2007 by Richard L. Beaudine and Marilyn I. Beaudine.



Marie Broghammer
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 25th day of February, 2007 by Carl E. Whitaker and Verla Toletha Whitaker.



Marie Broghammer
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 25th day of February, 2007 by Peter D. Wessels and Lori L. Wessels.



Marie Broghammer
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

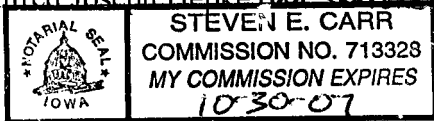
This instrument was acknowledged before me on this 25th day of February, 2007 by Cornelia C. Stefl.



Marie Broghammer
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 27th day of February, 2007 by Manfred Joseph Henke and Sharon Henke.



Steven E Carr
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 25th day of February, 2007 by Adoulf Kimball and Mary Lou Kimball.



Marie Broghammer
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 25th day of February, 2007 by Floyd H. Thacher



Marie Broghammer
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 28th day of ~~September~~, 2007 by David J. Huber and Jeanne A. Huber.



Steven E. Carr
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

This instrument was acknowledged before me on this 25th day of February, 2007 by Scott Westcott and Jolene Westcott.



Marie Broghammer
Notary Public in and for the State of Iowa