

Document No.
418178

WELL AGREEMENT

SEE ATTACHED

VOL. 665 PAGE 483

Recorded Vernon County, WI
Register of Deeds Office
Betty J. Bolton-Register

SEP 30 2004

Time: 1:00pm

Fee: 17.00

Volume: 665

Page:
483

Name and Return Address

Aaron J. Mithum
109 N Rusk
Viroqua, WI 54665

62-12-286-0011

(Parcel Identification Number)

WELL AGREEMENT

This Agreement is entered into by the undersigned parties to provide for the future, continuous service of water for domestic, single-family residential purposes only, from the well and pump drilled and constructed by the Developer (as hereinafter described) on Lot 12, (as further described herein) for the purposes of providing for the upkeep, maintenance, operation, and replacement of said water system as may be necessary from time to time. The parties, Wayne and Robin Clark, husband and wife, hereinafter referred to as "Developers", and Aaron J. Mithum; Angela D. Nerison, hereinafter referred to as "Purchasers", agree as follows:

Developers are the owners of the property, known as Ridgeview Estates, which consists of nineteen (19) certified survey lots recorded on various Certified Survey Maps in the Register of Deeds in Vernon County. Aaron J. Mithum; Angela D. Nerison has purchased Lot 11 as shown on Vernon County Certified Survey Map No. 346, which was recorded in the Office of the Register of Deeds for Vernon County on August 29, 2002, Volume 6 CSM, Page 220, as Document No. 398718. Developer is the owner of Lots 9, 10, 11, 12, and 13 as shown on said Certified Survey Map No. 347, which was recorded in the Office of the Register of Deeds for Vernon County on August 29, 2004, Volume 6 CSM, Page 222, as Document No. 398719, a copy of which is attached hereto and incorporated herein as Exhibit "A" and "B". This Well Agreement is intended to provide single-family residential well usage to lots 9, 10, 11, 12 and 13.

Developer has drilled a well and installed a well pump and pressure tank and drilled lateral lines, which span all of the lots mentioned above (9, 10, 11, 12, and 13). Developer intends to sell Lots 9, 10, 12 and 13, to future purchasers for the purpose of building single-family residential dwellings. It is intended that this Well Agreement will serve up to, but not more than, five (5) single-family residential dwellings. Residential lot owners being served by the water system described herein shall be equally responsible for the maintenance, operation, upkeep and replacement of the water system as may be necessary. Developer, as long as he holds vacant lot(s), shall not be obligated to participate in the maintenance, upkeep, operation or replacement of said water system.

A water meter shall be installed at the well head and each lot owner shall be responsible for one-fifth (1/5) of the costs of the well meter. The actual water usage electrical costs shall be borne equally by the parties actually using the well.

Each property owner is solely responsible for establishing and maintaining the lateral line running to his or her residential dwelling from the mainline.

An easement is hereby conveyed by the owner of Lot 12 to the owners, their heirs, executors and assigns, of Lots 9, 10, 11 and 13, and the owner of Lots 9, 10, 11 and 13 hereby conveys an easement to the owner of Lot 12, their heirs, executors and assigns; which easements shall be in the general area of the well and the water mainline and shall be for the limited purposes of upkeep, maintenance, operation, and replacement of said water system as may be reasonable and necessary.

430288

Document number

AFFIDAVIT OF CORRECTION

(TYPE OR PRINT CLEARLY IN BLACK OR RED INK)

AFFIANT, Joyce A. Roberts, hereby swears or Affirms that a certain document which was titled as follows: Well Agreement (type of Document), recorded on the 30th day of September, 2004 (year) in volume 665, page 483, as document number 418178 and was recorded in Vernon County, State of Wisconsin, contained the following error (if more space is needed, please attach addendum):

Incorrect CSM Map references in legal descriptions.

AFFIANT makes this affidavit for the purpose of correcting the above document as follows (if more space is needed, please attach addendum):

See attached Exhibit A for correct CSM Map references.

430288
Recorded Vernon County, WI
Register of Deeds Office
KONNA SPAETH, REGISTER

05/04/2006
11:00 AM

Recording area

21.00 pd

Name and return address

The Title Co
210 N. Main
Viroqua WI 54665

12-286.0009; 12-286-0010
12-286.0011; 12-286.0012

Parcel identification number (PIN)

12-286-0013

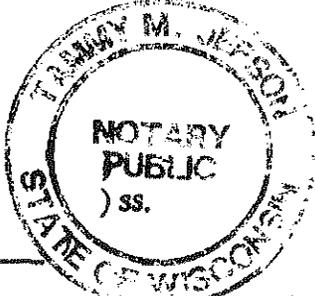
A copy of the original document (in part or whole) is is not attached to this Affidavit (if a copy of the original document is not attached, please attach legal description and names of grantors and grantees).

Dated: May 3, 2006

Signed: Joyce A. Roberts
* Joyce A. Roberts

State of Wisconsin

County of Vernon



Subscribed and sworn to (or affirmed) before me this 3rd Day of May, 2006.

Tammy M. Jefferson
* Tammy M. Jefferson

Notary Public, State of Wisconsin
My Commission (expires) (is): 12-7-07

AFFIANT is the (check one):

- Drafter of the document being corrected.
- Owner of the property described in the document being corrected.
- Other - explain:

Title Examiner

This instrument is drafted by: Joyce A. Roberts

THIS FORM IS INTENDED TO CORRECT SCRIVNER'S ERRORS AND NOT FOR THE CONVEYANCE OF REAL PROPERTY.

*Names of persons signing in any capacity must be typed or printed below their signature. WRDA version V-9/20/1999

Exhibit A:

Lots 9, 10 and 11 of Certified Survey Map No. 346 recorded in the Office of the Register of Deeds for Vernon County, Wisconsin on August 29, 2002 in Volume 6 of Certified Survey Maps, page 220-221 as Document No. 398718, being a part of the SE 1/4 of the SE 1/4 of Section 15 and part of the NE 1/4 of the NE 1/4 of Section 22, Township 12 North, Range 4 West, all in Town of Franklin, Vernon County, Wisconsin.

Together with a non-exclusive easement as depicted in Certified Survey Map No. 344 recorded August 29, 2002 in Volume 6 of Certified Survey Maps, pages 215-217 as Document No. 398716, being a part of the SE 1/4 of the SE 1/4 of Section 15, and part of the NE 1/4 of the NE 1/4 of Section 22, All in Township 12 North, Range 4 West, Town of Franklin, Vernon County, Wisconsin.

Lots 12 and 13 of Certified Survey Map No. 347 recorded in the Office of the Register of Deeds for Vernon County, Wisconsin on August 29, 2002 in Volume 6 of Certified Survey Maps, page 222-223 as Document No. 398719, being a part of the SE 1/4 of the SE 1/4 of Section 15 and part of the NE 1/4 of the NE 1/4 of Section 22, Township 12 North, Range 4 West, all in Town of Franklin, Vernon County, Wisconsin.

Together with a non-exclusive easement as depicted in Certified Survey Map No. 344 recorded August 29, 2002 in Volume 6 of Certified Survey Maps, pages 215-217 as Document No. 398716, being a part of the SE 1/4 of the SE 1/4 of Section 15, and part of the NE 1/4 of the NE 1/4 of Section 22, All in Township 12 North, Range 4 West, Town of Franklin, Vernon County, Wisconsin.

Document No.
418178

WELL AGREEMENT

VOL. ~~665~~ PAGE 483

Recorded Vernon County, WI
Register of Deeds Office
Betsy J. Bolton-Register

SEP 9 0 2004

Time: 1:00 pm

Fee: 11.00

Volume: 665

Page:
483

SEE ATTACHED

Name and Return Address

Aaron J. Mithum
109 N Rusk
Viroqua, WI 54605

62-12-286-0011

(Parcel Identification Number)

WELL AGREEMENT

This Agreement is entered into by the undersigned parties to provide for the future, continuous service of water for domestic, single-family residential purposes only, from the well and pump drilled and constructed by the Developer (as hereinafter described) on Lot 12, (as further described herein) for the purposes of providing for the upkeep, maintenance, operation, and replacement of said water system as may be necessary from time to time. The parties, Wayne and Robin Clark, husband and wife, hereinafter referred to as "Developers", and Aaron J. Mithun & Angela D. Nerison, hereinafter referred to as "Purchasers", agree as follows:

Developers are the owners of the property, known as Ridgeview Estates, which consists of nineteen (19) certified survey lots recorded on various Certified Survey Maps in the Register of Deeds in Vernon County. Aaron J. Mithun & Angela D. Nerison has purchased Lot 11 as shown on Vernon County Certified Survey Map No. 346, which was recorded in the Office of the Register of Deeds for Vernon County on August 29, 2002, Volume 6 CSM, Page 220, as Document No. 398718. Developer is the owner of Lots 9, 10, 11, 12, and 13 as shown on said Certified Survey Map No. 347, which was recorded in the Office of the Register of Deeds for Vernon County on August 29, 2004, Volume 6 CSM, Page 222, as Document No. 398719, a copy of which is attached hereto and incorporated herein as Exhibit "A" and "B". This Well Agreement is intended to provide single-family residential well usage to lots 9, 10, 11, 12 and 13.

Developer has drilled a well and installed a well pump and pressure tank and drilled lateral lines, which span all of the lots mentioned above (9, 10, 11, 12, and 13). Developer intends to sell Lots 9, 10, 12 and 13, to future purchasers for the purpose of building single-family residential dwellings. It is intended that this Well Agreement will serve up to, but not more than, five (5) single-family residential dwellings. Residential lot owners being served by the water system described herein shall be equally responsible for the maintenance, operation, upkeep and replacement of the water system as may be necessary. Developer, as long as he holds vacant lot(s), shall not be obligated to participate in the maintenance, upkeep, operation or replacement of said water system.

A water meter shall be installed at the well head and each lot owner shall be responsible for one-fifth (1/5) of the costs of the well meter. The actual water usage electrical costs shall be borne equally by the parties actually using the well.

Each property owner is solely responsible for establishing and maintaining the lateral line running to his or her residential dwelling from the mainline.

An easement is hereby conveyed by the owner of Lot 12 to the owners, their heirs, executors and assigns, of Lots 9, 10, 11 and 13, and the owner of Lots 9, 10, 11 and 13 hereby conveys an easement to the owner of Lot 12, their heirs, executors and assigns; which easements shall be in the general area of the well and the water mainline and shall be for the limited purposes of upkeep, maintenance, operation, and replacement of said water system as may be reasonable and necessary.

Each residential property owner served by the water system agrees to keep the well insured up to the maximum insurable interest under their homeowner's insurance policy.

All parties, their heirs, successors and assigns, shall be bound by the terms of this agreement, and the easements, covenants, conditions and restrictions set forth herein shall run with the land and be specifically binding, now and in the future, on Lots 9, 10, 11, 12 and 13. Any conveyance of said lots 9, 10, 11, 12 and 13 shall be subject to the terms of this Agreement.

This Agreement may be terminated by mutual agreement, in writing, by all parties hereto, including the heirs, successors and assigns, as the case may be.

In the event a dispute arises as to the terms of this Agreement, or an alleged breach of this Agreement by a party, the remaining parties to this Agreement may bring suit and shall be entitled to their reasonable costs, disbursements and attorney's fees.

All water service bills and repair, maintenance or replacement costs shall be paid within 30 days, or the water supply may be terminated to the non-paying party and this Agreement terminated as to that party.

Dated this 23 day of October, 2004.

Wayne D. Clark
Developer

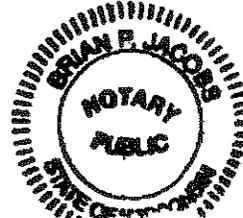
Adam J. Mathis
Purchaser

Robin A. Clark
Developer

Angela A. Clark
Purchaser

ACKNOWLEDGEMENT

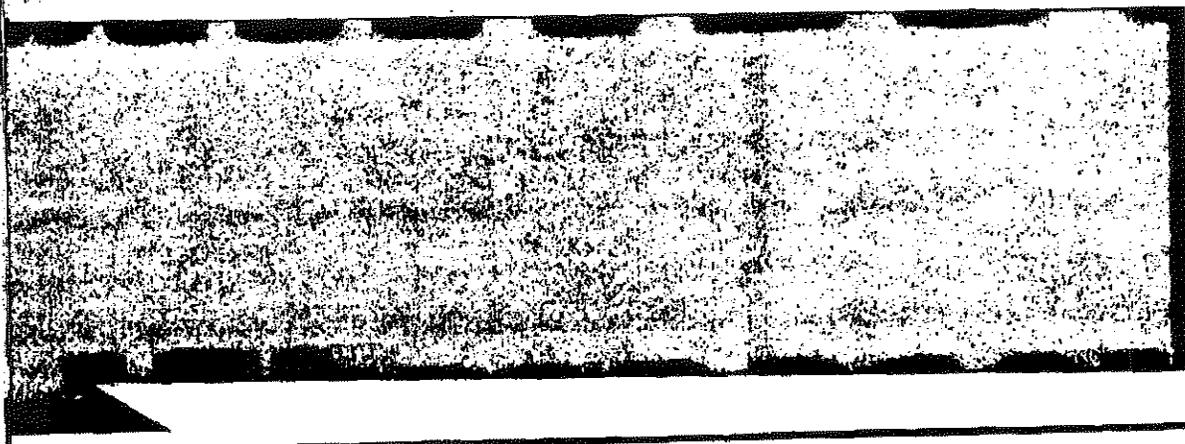
STATE OF WISCONSIN)
) ss
VERNON COUNTY)



Personally came before me the above named, Wayne & Robin Clark to me known to be the persons who executed the foregoing instrument and acknowledge the same.

Brian Jacobs Brian Jacobs
Notary Public, State of Wisconsin
My Commission 4-2-06

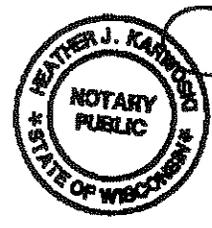
This instrument drafted by:
Attorney David L. Abt
Westby, WI 54667



ACKNOWLEDGEMENT

STATE OF WI
COUNTY OF Vernon } ss.

Personally came before me this 27th day of September, 2004, the
above Baron J. Mitnum and Angela D. Nerixan to
me known to be the person who executed the forgoing instrument
and acknowledge the same.



Heather J. Karwowski
Notary Public
Vernon County, WI
My Commission expires:
12/03/06

429370

Document No.

WELL AGREEMENT

429370
Recorded Vernon County, WI
Register of Deeds Office
KONNA SPAETH, REGISTER

03/21/2006
08:30 AM

SEE ATTACHED

15.00 pd

Name and Return Address

Wayne Clark
56128 Cty Rd T
Viroqua, WI 54655

02-12-286-12

(Parcel Identification Number)

WELL AGREEMENT

This Agreement is entered into by the undersigned parties to provide for the future, continuous service of water for domestic, single-family residential purposes only, from the well and pump drilled and constructed by the Developer (as hereinafter described) on Lot 12, (as further described herein) for the purposes of providing for the upkeep, maintenance, operation, and replacement of said water system as may be necessary from time to time. The parties, Wayne and Robin Clark, husband and wife, hereinafter referred to as "Developers", and John C. Stalsberg and Linda M. Stalsberg, hereinafter referred to as "Purchasers", agree as follows:

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