



WELL AGREEMENT

THIS AGREEMENT, made by **Philip F. Fox and Mary F. Fox**, his wife, hereinafter referred to as **"FOX"**.

WHEREAS, **"FOX"**, are the owners of the following described parcels:

Lot One (1), Volume 16 of Certified Survey Maps, page 15, being a part of the NE 1/4 of the NE 1/4, Section 26, Town 17 North, Range 21 East, Town of Schleswig, Manitowoc County, Wisconsin, hereinafter referred to as **"LOT ONE"**.

Lot Two (2), Volume 16 of Certified Survey Maps, page 15, being a part of the NE 1/4 of the NE 1/4, Section 26, Town 17 North, Range 21 East, Town of Schleswig, Manitowoc County, Wisconsin, hereinafter referred to as **"LOT TWO"**.

WHEREAS, the above described parcels are adjoining and there is a well located on or near the common lot line of said parcels and said well is and shall be owned equally by any owners of **"LOT ONE"** and **"LOT TWO"**.

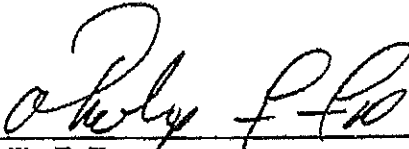
NOW THEREFORE, in consideration of the mutual covenants and agreement herein contained, the parties herein do hereby agree as follows:

- 1) That the well (well: meaning the drilled hole in the ground, cast iron casing, cover cap, and water contained within) located on or near the lot line of the parcels described herein, shall be owned equally by the owners of **"LOT ONE"** and **"LOT TWO"**, and specifically, that the owners of **"LOT ONE"**, their successors and assigns shall and do have a one-half interest therein, and the owners of **"LOT TWO"**, their successors and assigns, shall and do have a one-half interest therein.
- 2) That the owners of **"LOT ONE"**, their successors and assigns, and the owners of **"LOT TWO"**, their successors and assigns, shall have the mutual right to use water from said well for domestic purposes and may make and maintain connection with said well to their respective dwellings.
- 3) That the owners of **"LOT ONE"**, their successors and assigns, and the owners of **"LOT TWO"**, their successors and assigns, shall share equally in the costs of maintaining said well, and for such purposes each party may enter upon the premises of the other party to affect necessary repairs.
- 4) It is further agreed and understood that the electrical energy to operate the mechanical devices relating to said well, shall be separately measured by meters installed upon the premises located on **"LOT ONE"** and **"LOT TWO"**, so that monthly bills will be submitted to each user by the utility furnishing said service and each user shall pay directly to such utility for such energy costs.

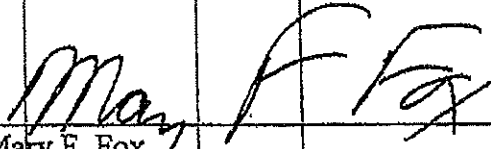


- 5) It is also agreed that each user shall pay for the servicing of their respective pumps separately. If a pump located on "LOT ONE" needs servicing, the owners of "LOT TWO" will not be required to share in the cost of servicing, even if the pump(s) located on "LOT TWO" need(s) to be "pulled out" in order to do such servicing. If a pump located on "LOT TWO" needs servicing, the owners of "LOT ONE" will not be required to share in the cost of servicing, even if the pump(s) located on "LOT ONE" need(s) to be "pulled out" in order to do such servicing.
- 6) The covenants stated herein shall be regarded as a "covenant running with the land" and shall be binding upon the parties herein, their heirs, personal representatives, successors and assigns.

IN WITNESS THEREOF, the above named parties have set their hands and seals this 11 day of March, 2004.




 Philip F. Fox



 Mary F. Fox

STATE OF WISCONSIN)
) ss.
 SHEBOYGAN COUNTY)

Personally came before me this 11 day of March, 2004, the above named Philip F. Fox and Mary F. Fox, to me known to be the persons who executed the foregoing instrument and acknowledge the same.



 Notary Public, Sheboygan County, WI.
 My Commission Expires: 4/25/04
 Leon Q. Stein

Drafted by: Attorney Pam Kahn-Stein

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WELL AGREEMENT

Document Number

Document Title



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STATE OF WI - MTHC CO
PRESTON JONES REG/DEEDS
RECEIVED FOR RECORD
03/19/2004 12:36:04 PM

Recording Area

Name and Return Address

Philip F. & Mary F. Fox
18430 Split Rail Lane
Kiel, WI. 53042

1524

Parcel Identification Number (PIN)