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ARTICLES OF ASSOCIATION
BERT MARTIN'S SECOND SUBDIVISION WELL ASSOCIATION

Lee O'Neill
RECORDER
JOHNSON CO., IOWA

The undersigned owners hereby make this Declaration of Association of Bert Martin's Second Subdivision, an unincorporated homeowners' association, for the purposes and according to the agreements as hereinafter set out.

I. PURPOSE. The purpose of this association is to provide for continuing residential water supply of quality sufficient to meet the standards of the Iowa Department of Natural Resources and other pertinent regulatory authorities to each of the current users of the water system within Bert Martin's Second Subdivision as shown in plat recorded in Book 6, Page 1, Plat Records of Johnson County, Iowa, and to provide for a mechanism for the assessment of the expenses of operation of the association.

II. MEMBERS. The members of this organization shall be all owners currently using the well system in Bert Martin's Second Subdivision as enumerated on Exhibit A attached hereto. As title to each of the properties is transferred whether by deed, will, descent or otherwise, the transferees of each individual parcel will become automatic members of this association.

III. ANNUAL MEETING; QUORUM; ELECTION OF PRESIDENT; APPOINTMENT OF SECRETARY/TREASURER. The annual meeting for the purposes of the election of the president and for the transaction of any other business that may come before the association shall be on the 1ST day of May at 7:30 P.M. The quorum for the conduct at the annual meeting shall be a majority of the owners and all business at the annual meeting may be conducted by a majority of those present. The president elected at each annual meeting shall serve until the next following annual meeting. Until the first annual meeting the initial president of the association shall be Patrick T. Dalton. The president shall appoint a secretary/treasurer from among the member to serve for the coming year. Phyllis Vernon

IV. DUTIES AND POWERS OF THE OFFICERS. The president shall have the duty and obligation to contract for and supervise the completion of any construction of, improvement to or maintenance of a well or wells serving the subdivision such that each of the members of the association are provided with a residential water supply as defined in this agreement. The president may contract for services not to exceed the value of $1,000.00 without the concurrence of the membership. The president may borrow money and give security in the property of the association without approval of the membership. The president, or any three owners may call a special meeting of the association at any time upon actual notice to all members to conduct any required business. The secretary/treasurer shall keep records of the actions of the membership and the financial transactions of the association.

V. ASSESSMENTS. It is the intention of this organization that the costs of construction, operation and maintenance of the well system in Bert Martin's Second Subdivision shall be assessed on a pro rata basis to the individual lots. If the individual assessments are not paid upon presentation to the owners of a written statement, the president is authorized to file in the Office of the Johnson County Recorder a claim for this assessment which

claim shall be a lien on the owner of the lot not paying the assessment. The frequency of assessment and required payment shall be determined by the association at its annual meeting from time to time. Maurice E. Martin and Gladys M. Martin are currently the owners of a unit that is a duplex. The parties agree that while the Martins own this property, it will be assessed only one share of the common expenses. Upon transfer by any means by said owners, said property will become liable for two shares, at which time the new owner shall be entitled to two votes at the annual meeting.

VI. LIMITS ON USE OF WATER SUPPLY. For the purposes of this agreement residential water supply shall not be construed to include fire protection or supplies needed to fill and maintain swimming pools. Each party agrees to make no use of his or her lot in such a manner as to jeopardize the quality of the water system for residential water supply purposes.

VII. TRANSFER OF OWNERSHIP. Each of the undersigned parties by his or her signature to this agreement transfers to the association all of their right, title and interest in and to any current well site as well as all of his or her right, title and interest in any equipment used in conjunction with the well. Each of the undersigned maintain an easement across the well site for access purposes for maintenance of the well and its equipment and for access to connect individual lots to the water system.

VIII. NO PRIVATE BENEFIT. No portion of the net earnings of this association shall inure to the benefit of any individual member of this association except for those benefits which accrue to members in general as a result of the activities of the accociation in pursuance of the purpose of the association as described in Article I.

Dated 10-1-94 — Jerry R. Moore
Jerry R. Moore

Dated 10-1-94 — Joanne S. Moore
Joanne S. Moore

Dated 10-194 — Richard D. Hobbs
Richard D. Hobbs

Dated 10-1-94 — Twila S. Hobbs
Twila S. Hobbs

Dated 10-5-94 — Richard C. Scott
Richard C. Scott

Dated 10-5-94 — Iris A. Scott
Iris A. Scott

Dated 9-30-94 — Vadim Kreyd
Vadim Kreyd

Dated 9.30.94 — Vera Kreyd
Vera Kreyd

Dated 9-29-94 — Winona M. Lyons
Winona M. Lyons

Dated _____ Patrick T. Dalton
Patrick T. Dalton

Dated 10-14-94 Rosemary Dalton
Rosemary Dalton

Dated 10/24/94 Maurice E. Martin
Maurice E. Martin

Dated 10/24/94 Gladys M. Martin
Gladys M. Martin

Dated Sept 30, 1994 Gerald R. Vraspier
Gerald R. Vraspier

Dated Sept 30, 1994 Donna M. Vraspier
Donna M. Vraspier

Dated 30 Sept 94 Phyllis A. Vernon
Phyllis A. Vernon

Dated Sept. 30, 1994 Alice M. Kyle
Alice M. Rocca Kyle

Dated Oct 8, 1994 Doris E. Montag
Doris E. Montag

Dated 10-12-94 R. Haywood
Ralph Haywood

Dated 10-10-94 Gerald T. Prybil
Gerald T. Prybil

Dated 10-12-94 Jean H. Prybil
Jean H. Prybil

EXHIBIT "A"

INITIAL MEMBERS OF BERT MARTIN'S SECOND SUBDIVISION WELL ASSOCIATION

Jerry R. Moore and Joanne S. Moore, husband and wife
Richard D. Hobbs and Twila S. Hobbs, husband and wife
Richard C. Scott and Iris A. Scott, husband and wife
Vadim Kreyd and Vera Kreyd, husband and wife
Winona M. Lyons, single
Patrick T. Dalton and Rosemary Dalton, husband and wife
Maurice E. Martin and Gladys M. Martin, husband and wife
Gerald R. Vraspier and Donna M. Vraspier, husband and wife
Phyllis A. Vernon, single
Alice M. Rocca, single
Doris E. Montag and Ralph Haywood, wife and husband
Garald T. Prybil and Jean H. Prybil, husband and wife

Dalton - 3861 Martin Ln NE. 351-8613
Moore - 3874 " " " 351-5699
Hobbs - 3868 " " " 354-2038
Scott - 3864 " " " 351-5968
Kreyd - 3853 " " " 338-1769
Lyons - 3857 " " " 351-2707

duplex owner — Martin - 210 Larigo Ln. Cambridge, ILL. 61238 309-937-2691

Vraspier 3869 Martin Ln. NE. 351-3215
Vernon 2971 Dubuque St. 351-4061
Kyle-Rocca 2975 " " 351-5580
Montag 2979 " " 337-4483
Prybil 2985 " " 351-1463

State of Iowa)
) ss:
County of Johnson)

On this 1st day of October, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Jerry R. Moore and Joanne S. Moore, husband and wife, 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.

Mary J Woods
Notary Public in and for said State
10/23/95

NOTARIAL SEAL

State of Iowa)
) ss:
County of Johnson)

On this 1st day of October, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard D. Hobbs and Twila S. Hobbs, husband and wife, 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.

Mary J Woods
Notary Public in and for said State
10/23/95

NOTARIAL SEAL

State of Iowa)
) ss:
County of Johnson)

On this 5th day of October, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard C. Scott and Iris A. Scott, husband and wife, 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.

Diane Burch
Notary Public in and for said State
10-19-95

NOTARIAL SEAL

State of Iowa)
) ss:
County of Johnson)

On this 30 day of September, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Vadim Kreyd and Vera Kreyd, husband and wife, 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.

NOTARIAL SEAL IOWA SHERYL HOSTETLER MY COMMISSION EXPIRES June 3, 1997

Sheryl Hostetler
Notary Public in and for said State

State of Iowa)
) ss:
County of Johnson)

On this 29th day of September, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Winona M. Lyons, single, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

Melanie Shaw
Notary Public in and for said State
10-22-94

NOTARIAL SEAL

State of Iowa)
) ss:
County of Johnson)

On this 14 day of October, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Patrick T. Dalton and Rosemary Dalton, husband and wife, 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.

NOTARIAL SEAL IOWA SHERYL HOSTETLER MY COMMISSION EXPIRES June 3, 1997

Sheryl Hostetler
Notary Public in and for said State

State of Illinois)
) ss:
County of Henry)

On this 24th day of Oct, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Maurice E. Martin and Gladys M. Martin, husband and wife, 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.

"OFFICIAL SEAL"
ELIZABETH GOFF
Notary Public State of Illinois
My Commission Expires 4-28-96

Elizabeth Goff
Notary Public in and for said State

State of Iowa)
) ss:
County of Johnson)

On this 30th day of September, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Gerald R. Vraspier and Donna M. Vraspier, husband and wife, 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.

Melanie S. Mazen
Notary Public in and for said State
10-22-94

NOTARIAL SEAL

State of Iowa)
) ss:
County of Johnson)

On this 30th day of September, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Phyllis A. Vernon, single, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

Gordon J. Hansen
Notary Public in and for said State

NOTARIAL SEAL

State of Iowa)
) ss:
County of Johnson)

On this 20th day of September, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Alice M. Rocca, Kyle single, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.

NOTARIAL SEAL

Gordon J Hinz
Notary Public in and for said State

State of Iowa)
) ss:
County of Johnson)

NOTARIAL SEAL

On this 8th day of October, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Doris E. Montag ~~and Ralph Haywood, husband and wife~~, to me known to be the identical ~~persons~~ named in and who executed the foregoing instrument and acknowledged that ~~they~~ she executed the same as ~~their~~ her voluntary act and deed.

Melanie S Green
Notary Public in and for said State
10-22-94

State of Iowa)
) ss:
County of Johnson)

On this 12 day of October, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Gerald T. Prybil and Jean H. Prybil, husband and wife, 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.

NOTARIAL SEAL IOWA
SHERYL HOSTETLER
MY COMMISSION EXPIRES
June 3, 1997

Sheryl Hostetler
Notary Public in and for said State

State of Iowa)
) ss:
County of Johnson)

On this 12 day of October, 1994 before me, the undersigned, a Notary Public in and for said State, personally appeared Ralph Haywood, to me known to be the identical person named in and who executed the foregoing instrument and acknowleged that he executed the same as his voluntary act and deed.

Randy Soldwisch
Notary Public in and for said State

NOTARIAL SEAL IOWA
RANDY SOLDWISCH
MY COMMISSION EXPIRES
11/8/96