

STATE OF IOWA, Pottawattamie County

Filed for record this 9 day of August
1995 at 9:30 o'clock A.M. and received

In book 96 page 3379

COMPAKED 1300

RECORDING FEE \$ 45⁰⁰
RMA FEE \$ 1⁰⁰

John Scirtino
Recorder
Wesley J. Hovorka
Deputy

AGREEMENT

NOW on this 2nd day of August, 1995, the following individuals being record title owners and/or contract purchasers of individual lots located in or adjacent to Pinehurst Subdivision, Pinehurst Second Subdivision, Pinehurst 3rd Subdivision, and Pinehurst 2nd Addition, Pottawattamie County, Iowa and using the platted roads designated as Pinehurst, Pine Terrace, Northern Pine and Pine Valley for ingress and egress to our homes, and being desirous of establishing a mutual obligation for the maintenance, upkeep and repair of the existing platted streets in said subdivisions and,

WHEREAS, in the past several years residents of said subdivisions have paid voluntary assessments as requested from each resident in said subdivisions by the voluntary Pinehurst Improvement Association, and

WHEREAS, the following owners and/or contract purchasers of lots in said subdivisions desire to bind themselves, their successors in interest, assigns, heirs and beneficiaries, stipulate and agree as follows, to wit:

That a non-profit corporation designated as Pinehurst Improvement Association, Inc. has been formed and that each lot in said subdivision or other property owners and/or contract purchasers using the platted roads in Pinehurst Subdivision, Pinehurst Second Subdivision, Pinehurst 3rd Subdivision, and Pinehurst 2nd Addition upon.

CONFIDENTIAL

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which a permanent residence has been erected for ingress and egress, whose record title owners execute this agreement, shall pay each year an assessment determined by a five (5) member board elected by the lot owners of said subdivisions, or other property owners and/or contract purchasers using the platted roads in Pinehurst Subdivision, Pinehurst Second Subdivision, Pinehurst 3rd Subdivision, and Pinehurst 2nd Addition, the first board to be elected within 30 days from the filing of this agreement with staggered terms of: one - 1 year term, two - 2 year terms, and two - 3 year terms, and as each term expires thereafter the new terms shall be for three (3) years.

That the yearly assessments cannot exceed \$50.00 per calendar year after 1993 unless approved by a simple majority of the lot owners and/or contract purchasers. Special assessments for contractual work performed on the roadway right of way in excess of funds available in the corporate accounts shall be approved by a majority of the lot owners and/or contract purchasers.

That this administrative board shall be elected each year at an annual meeting to be held in December of each year with written notice of the date, time and place, to be delivered to each member at least 10 days before said meeting, said election to be by written ballot and that each lot shall have one vote in the election of said board.

That said board shall determine the annual

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assessment after 1993 by a majority vote of the administrative board, and said assessments shall then be collected from each lot owner/or contract purchaser, and the initial board shall select a president or chair person from their group or other members. That Michael G. Damgaard shall chair the initial meeting when the initial five (5) directors of Pinehurst Improvement Association, Inc. are elected.

That the failure of any lot owner and/or contract purchaser upon which a permanent residence is erected to pay the yearly assessment shall be deemed to authorize the said board to file with the County Recorder in and for Pottawattamie County at Council Bluffs, Iowa, a certified lien in the amount of said assessment and said filing shall automatically be deemed a lien upon said real estate in favor of said association, with the same force and effect as any other judgment or lien of public record.

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NORTHERN PINE

# 2	Deborah S. McQuigg	<i>Deborah S. McQuigg</i>
# 5	James Mesher	<i>James Mesher</i>
# 5	Sherry Mesher	<i>Sherry Mesher</i>
# 6	Darrell A. Dorn	<i>Darrell A. Dorn</i>
# 6	Patricia A. Dorn	<i>Patricia A. Dorn</i>
# 7	Robert B. Harter	<i>Robert B. Harter</i>
# 7	Mabel Lou Harter	<i>Mabel Lou Harter</i>
# 8	Randolph R. Knell	<i>Randolph R. Knell</i>
# 8	Linda Knell	<i>Linda Knell</i>
# 9	Joseph M. Ankenbauer	<i>Joe Ankenbauer</i>
# 9	Penny Ankenbauer	<i>Penny Ankenbauer</i>
# 10	Daniel LeMaster	<i>Daniel LeMaster</i>
# 10	Jeanette LeMaster	<i>Jeanette LeMaster</i>
# 11	Jeffery A. Bixler	<i>Jeffery Bixler</i>
# 11	Mary J. Bixler	<i>Mary Bixler</i>
# 13	Bernard D. Heller	<i>Bernard D. Heller</i>
# 13	Connie K. Heller	<i>Connie K. Heller</i>
# 14	Shelley Larimore	<i>Shelley Larimore</i>
# 14	James Larimore	<i>James Larimore</i>
# 15	Douglas VanWinkle	<i>Douglas VanWinkle</i>
# 15	Linda VanWinkle	<i>Linda VanWinkle</i>

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PINE TERRACE DRIVE

4 Richard D. Gold
4 Carolyn L. Gold
6 Thomas W. Lenihan
6 Joan D. Lenihan
8 Richard S. Osborn
10 Michael G. Dangaard
10 Phyllis E. Dangaard
12 Larry W. Matiyow
12 Joyce Matiyow
14 Paul Kennedy
14 Jean Kennedy
20 Peggy A. Perfect
22 George Collins, Jr.
22 Sharon K. Collins
24 Kevin Nielsen
24 Cathy Nielsen
26 George J. Harman
26 Patricia A. Harman
28 Dwight L. Ravensborg

Richard D. Gold
Carolyn L. Gold
T W Lenihan
Joan D. Lenihan
Michael G. Dangaard
Phyllis E. Dangaard
Larry W. Matiyow
Joyce Matiyow
Paul A. Kennedy
Jean Kennedy
Peggy A. Perfect
George Collins Jr.
Sharon K. Collins
Kevin Nielsen
Cathy Nielsen
George J. Harman
Patricia A. Harman
Dwight L. Ravensborg

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PINE TERRACE DRIVE

# 1	Sondra Kinney	
# 1	Jim Kinney	
# 3	David Z. Fienhold	David Fienhold
# 3	Margery Fienhold	Margery Fienhold
# 7	Stephen P. Duff	Stephen P. Duff
# 7	Ruth Ann Duff	Ruth Ann Duff
# 11	Lucinda L. Munson	Lucinda L. Munson
# 11	John Chapman	John Chapman
# 13	Gerald D. Cain	Gerald Cain
# 13	Jean J. Cain	Jean Cain
# 15	Vickie Sturm Hebing	Vickie L. Sturm Hebing
# 17	Michael Ashbaugh	Mike Ashbaugh
# 17	Diane Ashbaugh	Diane Ashbaugh
# 19	Donna Johnson Eliff	Donna Eliff
# 21	Jerome L. Donnelson	Jerome L. Donnelson
# 21	Marjorie Donnelson	Marjorie Donnelson
# 23	Howard Johnson	Howard Johnson
# 23	Sally Johnson	Sally Johnson
# 25	Norman K. Hausen	
# 25	Audrey Hausen	
# 27	Beverly J. Mace	Beverly J. Mace
# 15	Ronnie L. Hebing	Ronnie L. Hebing
19	Danny Eliff	Danny Eliff

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PINEHURST DRIVE

✓ # 4	Ethel P. Anderson	<u>Ethel P. Anderson</u>
✓ # 8	Roger Butler	<u>No. 4017 sign</u>
✓ # 8	Cynthia Butler	<u>No. 4017 sign</u>
# 10	Velma Slotten	
# 14	John McPartland	<u>John McPartland</u>
# 14	Janice McPartland	<u>Janice McPartland</u>
✓ # 16	Pauline M. Hamilton	<u>Pauline Hamilton</u>
Lot 16	Robert Jager	
# 20	Gary L. Rogers	<u>Gary L. Rogers</u>
# 20	Terry W. Rogers	<u>Terry W. Rogers</u>
# 22	Gene A. Sanders	<u>Gene A. Sanders</u>
# 22	Florence Sanders	<u>Florence E. Sanders</u>
✓ # 24	William R. Niebur	<u>William R. Niebur</u>
✓ # 24	Mary K. Niebur	<u>Mary K. Niebur</u>
# 26	JAMES VACEK	<u>James Vacek</u>
✓ # 26	MARGARET M. BELLONS	<u>Raynette Vacek</u>

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PINEHURST DRIVE

# 1	Earle F. Bryson	<u>DECEASED</u>
# 1	Arlene Bryson	<u>Arlene Bryson</u>
# 3	^{Dep} Ben C. Perry	<u>Ben C. Perry</u>
# 3	Pauline T. Perry	<u>Pauline T. Perry</u>
# 5	Richard Walter	<u>Richard Walter</u>
# 5	Rena I. Walter	<u>Rena I. Walter</u>
# 7	Rolund Dunn	<u>Rolund Dunn</u>
# 9	Carl D. Ferrel	<u>Carl D. Ferrel</u>
# 9	Artis L. Ferrel	<u>Artis L. Ferrel</u>
# 11	Lloyd J. Newsom	<u>No - Wait again</u>
# 11	Beverly Newsom	<u>No - Wait again</u>
# 13	Timothy R. Brown	<u>Timothy R. Brown</u>
# 13	Julie R. Brown	<u>Julie R. Brown</u>
# 15	Gary A. Lester	<u>Gary A. Lester</u>
# 15	Patryce B. Lester	<u>Patryce B. Lester</u>
Lot 53	Bill Kopera	
Lot 53	Anne Kopera	
# 19	Russell Cain	<u>Russ Cain</u>
# 19	Diane Cain	<u>Diane Cain</u>
# 21	Judy L. ^{SELLERS} Novak	
# 23	R. L. Henderson	<u>R. L. Henderson</u>
# 23	Wilma Henderson	<u>W. Henderson</u>
# 25	Dick R. Vallier	
# 25	Ruth M. Vallier	

COMPILED

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I, MICHAEL G. DAMGAARD, hereby certify under oath that all of the signatures appearing on pages 4, 5, 6, 7 and 8 of this Agreement were executed in my presence by those persons named therein, and that I personally knew all persons executing said Agreement, and that all persons received a copy of this Agreement at time of signing.


MICHAEL G. DAMGAARD

STATE OF IOWA)
) ss.
COUNTY OF POTTAWATTAMIE)

On this 2nd day of August, 1995, before me, a Notary Public, personally appeared MICHAEL G. DAMGAARD, who executed the above certification in my presence and acknowledges the same to be his voluntary act and deed.




NORAN L. DAVIS, SR., Notary Public

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