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200400005166
 Filed for Record in
 BROWN COUNTY, IN
 GLENDA STOGSDILL
 11-16-2004 At 08:55 am.
 AGREEMENT 17.00
 OR Book 96 Page 41 - 44

LAKE USE AND MAINTENANCE AGREEMENT

THIS AGREEMENT made and entered into this 6th day of November 2004, by and between David T. Woods and Nancy A. Woods, husband and wife, Thomas M. Barr and April J. Barr, husband and wife, and Rick Aldrich.

WITNESSETH:

Whereas, David T. Woods and Nancy A. Woods are the owners of certain real estate located in Brown County, Indiana, and more particularly described as follows:

A part of the Southwest quarter of the Northwest quarter and a part of the Northwest quarter of the Southwest quarter of Section 23, Township 9 North, Range 2 East, described as follows:

Beginning at the Southwest corner of said Southwest quarter of the Northwest quarter; thence North 01 degree 16 minutes East 100.5 feet; thence North 33 degrees 58 minutes East 63.8 feet; thence South 48 degrees 50 minutes East 446.8 feet; thence South 13 degrees 30 minutes East 120.7 feet; thence with the Centerline of a Public Road North 83 degrees 12 minutes West 357.8 feet and North 77 degrees 25 minutes West 108.0 feet; thence North 01 degrees 16 minutes East 109.2 feet to the beginning, containing 2.52 acres.

ALSO

A part of the South one-half of the Southeast quarter of the Northeast quarter of Section 22, Township 9 North, Range 2 East;

Beginning at the Northeast corner of said South one-half; thence South 565.9 feet; thence West 83 feet; thence North 255.1 feet; thence North 69 degrees 47 minutes West 706.3 feet; thence North 124.3 feet; thence South 85 degrees 36 minutes East 757 feet to the beginning, containing 4.5 acres, more or less; and

Whereas, Thomas M. Barr and April J. Barr are the owners of certain real estate located in Brown County, Indiana, and more particularly described as follows:

A part of the Southeast quarter of the Northeast quarter of Section 22, Township 9 North, Range 2 East, described as follows:

Beginning 2.1 feet North and 263.6 feet East of the Southwest corner of said quarter quarter section; thence North 01 degree 16 minutes East 476.6 feet; thence North 86 degrees 20 minutes East 146.7 feet; thence North 73 degrees 04 minutes East 98.3 feet; thence South 59 degrees 47 minutes East 206.0 feet; thence South 446 feet; thence with

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the center of the Public Road North 82 degrees 38 minutes West 95 feet; South 86 degrees 16 minutes West 103.8 feet; South 89 degrees 02 minutes West 220 feet; and North 87 degrees 51 minutes West 26.5 feet to the beginning, containing 4.86 acres more or less; and

Whereas, Rick Aldrich is the owner of certain real estate located in Brown County, Indiana, and more particularly described as follows:

A part of the Northeast quarter of the Southeast quarter, and a part of the Southeast quarter of the Northeast quarter of Section 22, Township 9 North, Range 2 East, described as follows:

Beginning at the Northeast corner of said Northeast quarter of the Southeast quarter; thence South 01 degree 16 minutes West 109.2 feet; thence with the center of the Public Road North 60 degrees 47 minutes West 238.8 feet; North 70 degrees 23 minutes West 229.0 feet; and North 82 degrees 38 minutes West 199.6 feet; thence North 446.0 feet; thence South 69 degrees 47 minutes East 580.3 feet; thence South 255.1 feet; thence East 83.0 feet; thence South 01 degree 16 minutes West 100.5 feet to the beginning, containing 5.46 acres; and

Whereas, the above-described parcels of real estate abut and to some extent lie beneath a certain lake shared in common by the parties; and

Whereas, although the parties hereto have always understood that because of their ownership of property around and beneath the lake that they have been entitled to the use of the entire lake, they now wish to memorialize and clarify their respective rights and responsibilities regarding said lake.

NOW, THEREFORE, in consideration of the mutual covenants contained herein the parties hereto agree as follows:

1. That each of the parties hereto and their guests shall have free use of all parts of the said lake for boating, fishing, swimming, skating and general recreational purposes.
2. That boating will be limited to non-motorized craft only, except for electric trolling motors.
3. That to the extent maintenance of the lake dam or spillway becomes necessary, or stocking the lake is designed, each property owner agrees to be responsible for one-third of all expenditures made in that regard, provided that the parties shall discuss and agree upon such expenditures prior to any costs being incurred. The parties also agree to share equally the costs of fulfilling any legal requirements regarding the dam, such as inspection and reports, also subject to prior discussion and agreement.
4. That this agreement shall be binding upon and inure to the benefit of the respective parties, their heirs, successor and assigns.

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 David T. Woods


 Nancy A. Woods

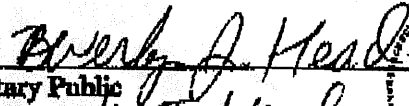

 Thomas M. Barr


 April J. Barr


 Rick Aldrich

STATE OF INDIANA)
)SS:
 COUNTY OF BROWN)

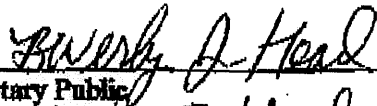
Before me the undersigned, a Notary Public in and for said County and State, personally appeared David T. Woods and Nancy A. Woods, and acknowledged their execution of the foregoing document this 6th day of November, 2009.

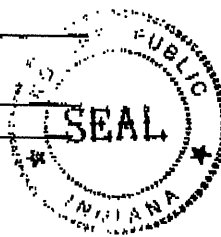

 Notary Public
 Printed Name: Beverly J. Head
 Commission Expires: 1-07-07
 Resident of Brown County, Indiana



STATE OF INDIANA)
)SS:
 COUNTY OF BROWN)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared Thomas M. Barr and April J. Barr, and acknowledged their execution of the foregoing document this 6th day of November, 2009.


 Notary Public
 Printed Name: Beverly J. Head
 Commission Expires: 1-07-07
 Resident of Brown County, Indiana



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STATE OF INDIANA)
)SS:
COUNTY OF BROWN)

Before me the undersigned, a Notary Public in and for said County and State, personally appeared Rick Aldrich, and acknowledged his execution of the foregoing document this

10th day of November 2004.

Beverly J. Head
Notary Public

Printed Name: Beverly J. Head
Commission Expires: 1-17-07
Resident of Bloom County, Indiana



Prepared by Thomas M. Barr, Thomas M. Barr & Associates
P.O. Box 756
Nashville, IN 47448