

COUNTY FILED
 INST # 17218
 RECORDING FEE 500
 AUDITOR FEE _____
 RMA FEE 100

FILED FOR RECORD
 POTTAWATTAMIE CO. IA.

02 FEB 26 AM 9:33

JOHN SCIORTINO
 RECORDER

Preparer Information: Leo P. Martin Name 233 Pearl Street Street Address Council Bluffs City IA State 51502-1078 Zip Code (712)328-3157 Phone

PARTY WALL AGREEMENT

**Lots 1A and 1B
 Ferndale Phase I, First Replat**

COMES NOW Turnberry Townhomes, L.C., an Iowa Limited Liability Company, and Ferndale, L.C., an Iowa Limited Liability Company, and for their Party Wall Agreement state:

1. Ferndale, L.C. is the owner of Lot 1A, Ferndale Phase I, First Replat, more commonly known as 219 East Ferndale Drive, Council Bluffs, Iowa. 51503
2. Turnberry Townhomes, L.C. is the owner of Lot 1B, Ferndale Phase I, First Replat, more commonly known as 215 East Ferndale Drive, Council Bluffs, Iowa. 51503
3. The wall between Lots 1A and 1B is a common wall that separates the two dwelling units built on the respective lots and constitutes a party wall (or a wall in common) as defined in Chapter 563 of The Code of Iowa.
4. Ferndale, L.C. agrees that the provisions of Chapter 563 of the Code of Iowa regarding walls in common shall apply to the wall in common between Lot 1A and Lot 1B of Ferndale Phase I, First Replat.

FERNDALE, L.C.

TURNBERRY TOWNHOMES, L.C.

Jerry F. Duggan
 By: Jerry F. Duggan

John M. Duggan
 By: John M. Duggan

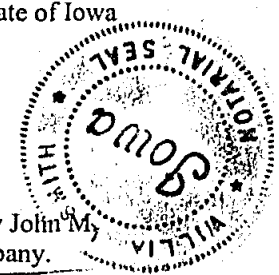
State of Iowa)
) ss
 County of Pottawattamie)



This instrument was acknowledged before me on Feb 9th, 2002 by Jerry F. Duggan, President of Ferndale, L.C., an Iowa Limited Liability Company.

William L. Duggan
 Notary Public in and for the State of Iowa

State of Iowa)
) ss
 County of Pottawattamie)



This instrument was acknowledged before me on Feb 9th, 2002 by John M. Duggan, President of Turnberry Townhomes, L.C., an Iowa Limited Liability Company.

William L. Duggan
 Notary Public in and for the State of Iowa