

*Windcliff*

**Individual  
Septic System**

262485

STATE OF MINNESOTA

County of Wabasha

Office of County Recorder

This is to certify that the within instrument was filed for record in this office at Wabasha, on the 4<sup>th</sup> day of February A.D. 2004 at 1:30 o'clock P.m. and that the same was duly recorded in Wabasha County Records.

JEFFERY R. AITKEN

County Recorder

By Carney Ann Koenigs, deputy

**Agreement For  
Individual Septic Systems  
For  
Windcliff Subdivision**

This agreement is made as of the 5<sup>th</sup> day of November, 2003 by Rodger H. Brown and Sylvia A. Brown as representative of Windcliff Association Inc.

WHEREAS, Rodger H. Brown and Sylvia A. Brown are the fee owners of the real property located in Lake Township, Wabasha County, Minnesota, described as Windcliff subdivision, according to the plat on file and of record in the office of the Register of Deeds in and for Wabasha County, Minnesota.

WHEREAS, The described Windcliff subdivision is comprised of forty five (45) building lots, two (2) Outlots (referred to as Outlot A & Outlot B), easements and associated roads.

WHEREAS, Rodger H. Brown and Sylvia A. Brown retain the right to contract for septic system maintenance service for Windcliff Association Inc. Rodger H. Brown and Sylvia A. Brown shall remain in control of these contracts as long as Rodger H. Brown and Sylvia A. Brown have any ownership interest in the land described in Exhibit A of the Protective Covenants and until Rodger H. Brown and Sylvia A. Brown have received full and final payment thereof. At that time, this control will automatically transfer to the Windcliff Association Inc.

ARTICLE I

CONSTRUCTION OF SYSTEM

Each Owner of a Wincliff Lot that builds a home on their Lot must have a Septic System that is designed and built by a Licensed Onsite Sewage Treatment Designer. The Septic System must be designed to meet Wabasha County standards.

Jeffery R. Aitken Wabasha Co. Recorder

Date Received 2/4/04

Amount Paid Cash 10077 Chg

Well Certificate Amt. Pd. 20

Return To Rodger Brown

RR 3 Box 187A

Lake Park MN 55041

1/30/2004

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ARTICLE II

WINDCLIFF ASSOCIATION INC. OBLIGATIONS

Windcliff Association Inc. shall be responsible for contracting with a service provider to inspect, test and pump the individual Septic Systems on a regular basis.

ARTICLE III

OWNER'S OBLIGATION

Each Owner shall connect their Septic System to their home when a residence is constructed.

ARTICLE IV

RATES AND CHARGES

Windcliff Association Inc. has exclusive authority to contract for services to inspect, test and pump the individual Septic Systems. Windcliff Association Inc. exclusively will negotiate for a service provider that will establish rates for maintaining the Septic Systems. The Owner of each Lot shall pay to the selected service provider a monthly fee billed directly to the Lot owner by the service provider.

ARTICLE V

RULES AND REGULATIONS

Each Owner shall comply with all reasonable rules and regulations adopted by Windcliff Association Inc. from time to time concerning the individual Septic Systems.

ARTICLE VI

BINDING EFFECT

This agreement shall be binding and to the benefit of the Windcliff Association Inc. and the Owners, and their respective successors and assigns.

ARTICLE VII

MODIFICATION

This agreement shall not be amended or modified, except with the written consent of the Windcliff Association Inc. its successors and assigns, and 90 percent of the Owners.

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STATE OF MINNESOTA )  
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COUNTY OF WABASHA )


IN WITNESS WHEREOF, the Owners have executed this document this 31<sup>st</sup> day of January, 2004.

Owners:

Rodger H. Brown  
Rodger H. Brown

Sylvia A. Brown  
Sylvia A. Brown

On this 31<sup>st</sup> day of January, 2004 before me, a notary public, personally appeared, Rodger H. Brown and Sylvia A. Brown to me personally known as the Owners of "Windcliff" subdivision, and to be the persons who executed the foregoing instrument.

 KAREN M. GLAZE  
Notary Public-Minnesota  
My Comm. Expires Jan. 31, 2005

Karen M. Glaze  
Notary Public