

AGREEMENT TO SHARE DUMPSTER ENCLOSURE

This Agreement entered this _____ day of _____, 2018 by the undersigned:

The City of Whitewater in approving a Conditional Use Permit has required that affected property owners enter into an agreement to utilize the dumpster enclosure located at the rear of 109 South Second Street, Whitewater, WI 53190. By this Agreement the undersigned agree that the parties to this Agreement shall have access and consent to utilize the dumpster enclosure. Any costs related to the maintenance, repair, replacement and any other costs relating to the dumpster enclosure shall be shared equally between the parties to this Agreement.

The owner of each Property to this Agreement shall be required to maintain its own liability insurance against any claims, losses, damages or actions of any kind, whatsoever relating to the terms of this Agreement.

This Agreement shall bind and benefit the owners of the Properties that are the subject to this Agreement and their respective successors and/or assigns.

Should the parties be deadlocked in some aspect of the management of this Agreement the parties shall select a qualified arbitrator to resolve the dispute. If the parties cannot agree on an arbitrator this matter will be presented to a Walworth County Circuit Court Judge for the selection of said arbitrator. The decision of the arbitrator shall be binding upon all parties hereto.

This Agreement includes the Property Owners entire agreement and understanding with respect to the subject matter hereof. This Agreement may be modified only by a written instrument executed by the then owners of all Properties.

Center Street Rentals, LLC

David E. Saalsaa

Stonegate Management LLC

Drilon LLC

Land & Water Investments, LLC

Hicks Survivors Trust

This instrument was drafted by:
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