'97 OCT 24 PM 2 06
BOOK 7 PAGE 132
RECORDER
11.00
19-1276
COUNTY IOWA

Prepared by City Manager Dave Heiar, 208 E Main Str, Manchester, IA

REQUEST FOR AUTHORITY TO CONSTRUCT
A STRUCTURE ON CITY RIGHT OF WAY - EASEMENT - PROPERTY

The undersigned hereby states as follows:

1. That I am the owner of the following-described property:

Lot 6 of Northtown Estates Subdivision OF PART OF THE N½OF THE SE¼ OF SECTION 20, T89N, R5W OF THE FIFTH P.M. CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

2. That I have requested the City of Manchester, Iowa, to provide me with authority to construct and maintain a structure to be located on a City right of way, easement, or property, more specifically described as follows:

Subdivision Development Name Sign

3. The City of Manchester, Iowa, has clearly provided me with notice that I may be required to remove this structure or any other structure located on the property described in the above-referenced paragraph anytime it is determined by the City of Manchester, Iowa, in its sole discretion, that said structure interferes, impedes, or otherwise inhibits the City in its ability to exercise its lawful right to said property.

4. This document shall be filed in the office of the Delaware County Recorder to serve as record to all future titleholders of this Agreement. This Agreement shall run with the land and be binding upon all heirs and assigns of the undersigned.

5. The structure anticipated to be built is more specifically described below:

8 ft x 8 ft. Development Name Sign

6. In the event the City determines that the above-described structure must be removed or moved, the undersigned agrees to pay for all costs of removal and to indemnify and hold the City of Manchester, Iowa, harmless from any damage to said structure in the event it is removed or modified to accommodate the City's lawful use of its property.

7. All costs incurred for the removal or modification of said structure shall be borne by the undersigned and the undersigned shall reimburse the City of Manchester, Iowa for any costs incurred by it in the event it becomes necessary for the City to remove or modify said structure.

8. The undersigned has further been made aware that the placing of the structure on the location shown above shall be subject to potential damage by City street crews and the clearing of snow and routine maintenance of City streets and right of ways. The undersigned holds the City harmless and agrees to indemnify the City for any damages to City property or to the structure which are the result of the City's actions in clearing snow and taking other construction and maintenance of City property.

9. The undersigned has further been made aware that the placing of the structure on the location shown above may be considered to present a hazard to motorists operating vehicles on City streets. By granting a permit for the construction of said structure, the City does not make any representation with regard to potential hazards to motorists or pedestrians caused by said structure. The undersigned holds the City harmless and agrees to indemnify the City for any claims for personal injury or property damage sustained by motorists or pedestrians which may be caused in whole or in part by the above-referenced structure.

DATE 10-24-97 BOOK 7 PAGE 132

CITY OF MANCHESTER

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Karen K. Cole

Karen K. Cole, City Clerk

RAYMOND P. SCHULTE REVOCABLE
INTER VIVOS TRUST

Raymond P. Schulte Trustee

Raymond P. Schulte, Trustee

RUTH F. SCHULTE REVOCABLE
INTER VIVOS TRUST

Ruth F. Schulte, Trustee

Ruth F. Schulte, Trustee

STATE OF IOWA )
) SS:
COUNTY OF DELAWARE)

On this 23rd day of October , 1997, before me, Linda K. Tutton, a Notary Public in and for the State of Iowa, personally appeared Milt L. Kramer and Karen K. Cole, to me personally known, and who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Manchester, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in Resolution R-R-126-97 passed by the City Council of the City of Manchester, Iowa on the 20th day of Ocotber, 19 97 and that Milt L. Kramer and Karen K. Cole acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Linda K. Tutton

Linda K. Tutton, Notary Public
My commission expires 8-29-99

STATE OF IOWA )
) SS:
COUNTY OF DELAWARE)

On this 16th day of October, 1997, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Raymond P. Schulte, and Ruth F. Schulte, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that such persons, as such Trustees, executed the same as the voluntary act and deed of such persons and of such Trustees.

Diane L. Nelson

Notary Public

DIANE L. NELSON