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RECORDER
DELAWARE COUNTY, IOWA
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Prepared by Tri State Engineers P.O. Box 357, Manchester, Iowa 52057 319-927-2060

EASEMENT FOR STORM SEWER

THIS AGREEMENT, made this 24 day of ~~April~~ MARCH, 1998 by and between the CITY OF MANCHESTER, IOWA, Party of the First Part; and BEATON, INCORPORATED, Party of the Second Part;

WITNESSETH:

That the Party of the First Part (Grantor), in consideration of the sum of One Dollar ($1.00) and other valuable consideration, receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey to the Party of the Second Part (Grantee), its successors and assigns, the perpetual right and easement to enter upon, erect, construct, install and lay, and thereafter use, operate, inspect, repair, maintain, replace and remove a 12-inch diameter concrete pipe storm sewer upon, over, along, under and across the following described real estate situated in the City of Manchester, Delaware County, Iowa together with the right of ingress and egress over the adjacent lands of the Grantor, its successors and assigns for the purposes of this easement:

Lot 25, Ballard Subdivision, except the North 180.0 feet thereof, all in the City of Manchester, Delaware County, Iowa.

THE EASEMENT shall be 20.0 feet in width, the centerline of which shall be described as commencing at the Northwest corner of above-said Lot 25, thence South 00°-09'-26" East 180.0 feet, thence North 89°-50'-34" East 83.0 feet to the POINT OF BEGINNING, thence South 00°-09'-26" East approximately 73.0 feet to the South line of said Lot 25 per attached Exhibit A.

The Grantee shall have the right of ingress and egress to and from said land to survey, erect, construct, maintain, inspect, rebuild, and repair, said storm sewer together with the right to replace, renew and relocate upon, over and under its right-of-way said storm sewer, or parts thereof, and any appurtenances thereto and the right to remove any and all of said storm sewer.

The Grantor agrees to erect no buildings, obstructions or other improvements upon or under the property covered by this easement which would interfere with the construction, reconstruction or maintenance of said storm sewer.

This easement and the rights herein described shall be binding upon the Grantor, its successors and assigns. This easement shall be perpetual and shall run with the land.

In Witness Whereof we hereunto sign our names the day and year last above written.

CITY OF MANCHESTER, IOWA
Grantor
By Milt L. Kramer
Milt L. Kramer, Mayor

Karen K. Cole
Karen K. Cole, Clerk

BEATON, INC.
Grantee
By Perry J. Beaton
Perry Beaton, President

Carol Beaton
Carol Beaton, Secretary

STATE OF IOWA)
) ss:
COUNTY OF LINN)

On this 24th day of March, A.D. 1998, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Perry Beaton and Carol Beaton, to me personally known, who, being by me duly sworn, did say that they are, the President and Secretary respectively, of said corporation executing the within and foregoing instrument to which this is attached, that no seal has been procured by the said corporation; that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and that the said Perry Beaton and Carol Beaton as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

ANGELA H. FRIEDERICH
MY COMMISSION EXPIRES
May 8, 1999

Angela H. Friederich
Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 7 day of April, A.D. 1998, before me, 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 the Resolution adopted by the City Council, under Roll Call No. R-187-98 of the City Council on the 6th day of April, 1998 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
Notary Public in and for the State of Iowa
Linda K. Tutton
Notary Expires: 8-29-99

SHEET 1 OF 1

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