190
DELAWARE COUNTY IOWA
FILED
98 JUL 10 AM 9:11
BOOK 8 PAGE 53
DEBORAH L PETTON
DELAWARE CO RECORDER
11.00

City of Manchester

Prepared by Tri State Engineers, P.O. Box 357, Manchester, Iowa 319-927-2060

EASEMENT FOR PERMANENT STREET PURPOSES

THIS AGREEMENT, made this 17th day of June, 1998 by and between BEATON,INC., Party of the First Part (Grantor); and the CITY OF MANCHESTER, IOWA, an Iowa Municipal Corporation, Party of the Second Part (Grantee);

WITNESSETH:

That the Party of the First Part, 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, its successors and assigns, the perpetual right and easement to enter upon, and thereafter use, inspect, repair, maintain, replace and remove a permanent street upon, over, along, and across the following described real estate situated in the City of Manchester, Delaware County, Iowa.

Lot Two (2) of O'Connell - Boren Subdivision, City of Manchester, Iowa

THE EASEMENT shall be described as commencing at the Northeast corner of Lot Two (2) of O'Connell - Boren Subdivision, City of Manchester, Iowa, said point being the Point of Beginning, thence South 89°-50'-34" West 8.16 feet along the south right of way line of West Main Street (Iowa Highway No. 13), thence South 00°-09'-26" East 16.73 feet to a point of curvature, thence along a circular curve concave northeasterly for an arc length of 30.20 feet, said arc having a radius of 57.78 feet, a chord bearing of South 16°-24'-45" East and a chord length of 29.86 feet, to the east line of said Lot Two (2), thence North 00°-09'-26" West 45.34 feet along said east line to the Point of Beginning, said easement containing approximately 300 square feet, as shown on attached Exhibit A.

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 street.

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.

BEATON, INC.
Grantor

By _____
Perry Beaton, President

_____
Carol Beaton, Secretary

CITY OF MANCHESTER, IOWA
Grantee

By _____
Milt L. Kramer, Mayor

By _____
Karen K. Cole, Clerk

OWNER'S ACKNOWLEDGMENT:

STATE OF IOWA)
) ss:
COUNTY OF LINN)

On this 17th day of June, 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.

_____
Notary Public in and for the State of Iowa

ANGELA H. FRIEDERICH
MY COMMISSION EXPIRES
May 8, 1999

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 7th day of July, 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-209-98 of the City Council on the 6th day of July, 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.

_____ 7-7-98
Notary Public in and for the State of Iowa

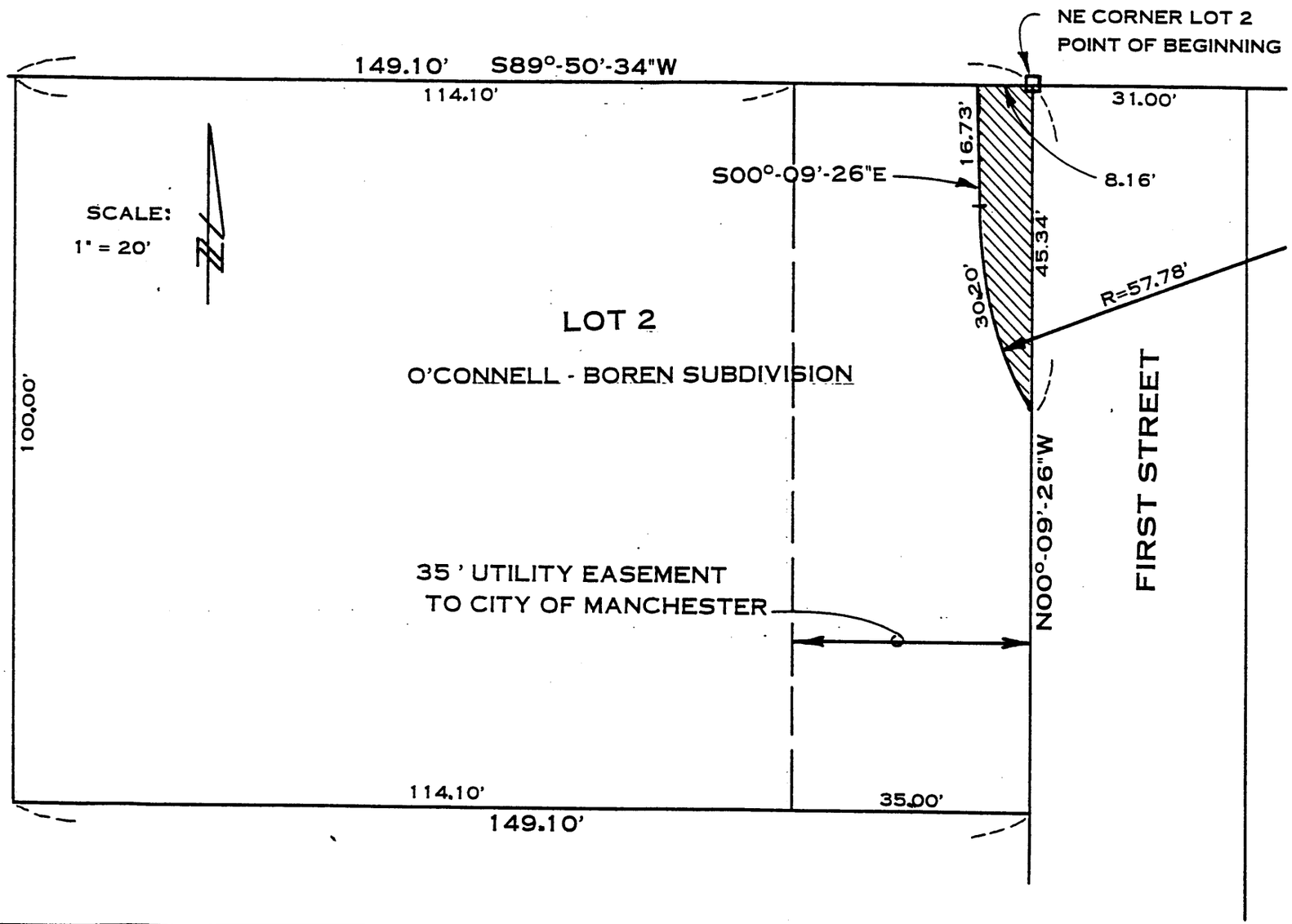
Bruce A. Trapp
Notary Appointment Expires 8-25-99

BRUCE A. TRAPP NOTARIAL SEAL

DATE 7-10-98 BOOK 8 PAGE 53

EASEMENT FOR PERMANENT STREET PURPOSES

EXHIBIT A



190
DELAWARE COUNTY IOWA
FILED

1998 JL 10 AM 9:11

BOOK 8 PAGE 53
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
11.00

BOOK 8 PAGE 52