1129
DELAWARE COUNTY IOWA
FILED
1998 SP 28 AM 11: 35
BOOK 8 PAGE 119
DEBORAH L. EDTON
DELAWARE CO RECORDER
$21.00

City of Edgewood
Box 397
Edgewood IA
52042

This instrument was prepared by Attorney William G. Blum, 700 Locust, Suite 196, Dubuque, Iowa 52001, 319-557-1310.

PUBLIC UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar ($1.00) and other good and valuable consideration paid to

GERALD L. PERRINJAQUET AND MARJORIE M. PERRINJAQUET,

hereinafter referred to as GRANTORS, by the **CITY OF EDGEWOOD, IOWA,** hereinafter referred to as GRANTEE, the receipt of which is hereby acknowledged, the GRANTORS do hereby grant, bargain, sell, transfer, and convey unto the GRANTEE, its successor and assigns, a perpetual easement with the right to erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove public utilities including a sanitary sewer and water lines as shown on plat attached as Exhibit "A," over, across, and through the land of the GRANTORS situated in Delaware County, State of Iowa, said land being described as follows:

> Lot 11 of the subdivision of the NE¼ of the NE¼ of Section 3, Township 90 North, Range 5 West of the 5th P.M. in the City of Edgewood, Delaware County, Iowa,

together with the right of ingress and egress over the adjacent lands of the GRANTORS, their successors and assigns, for the purposes of this easement.

The easement shall be twenty feet in width, as shown on Exhibit "A," which is attached hereto and hereby incorporated by reference. The GRANTORS also grant a forty feet temporary construction easement to be used for any initial construction.

It is understood and agreed that the GRANTEE hereby shall restore the disturbed area due to the installation or repair of any utilities.

GRANTORS shall not erect any structure over or within the Easement Area without obtaining the prior written approval of

the City Council.

GRANTORS shall not change the grade, elevation, contour or perform any construction or excavation that will diminish the lateral support of said improvement without obtaining the prior written consent of the City Council.

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the GRANTORS, their successors and assigns, by reason of the installation, operation, and maintenance of the structures or improvements referred to herein. The GRANTEE covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the GRANTORS, their successors and assigns.

The grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the GRANTEE, its successors and assigns.

IN WITNESS WHEREOF, the GRANTORS have executed this instrument this 23 day of September, 1998.

By: Gerald L. Perrinjaquet (SEAL)

By: Marjorie M. Perrinjaquet (SEAL)

STATE OF IOWA, DELAWARE COUNTY, ss:

On this 23rd day of September, A.D. 1998, before me the undersigned, a Notary Public in and for said County, in said State, personally appeared

GERALD L. PERRINJAQUET AND MARJORIE M. PERRINJAQUET,

to me known to be the identical persons named in and who executed the within and foregoing instrument, to which this is attached, and acknowledged that they executed the same as their voluntary act and deed.

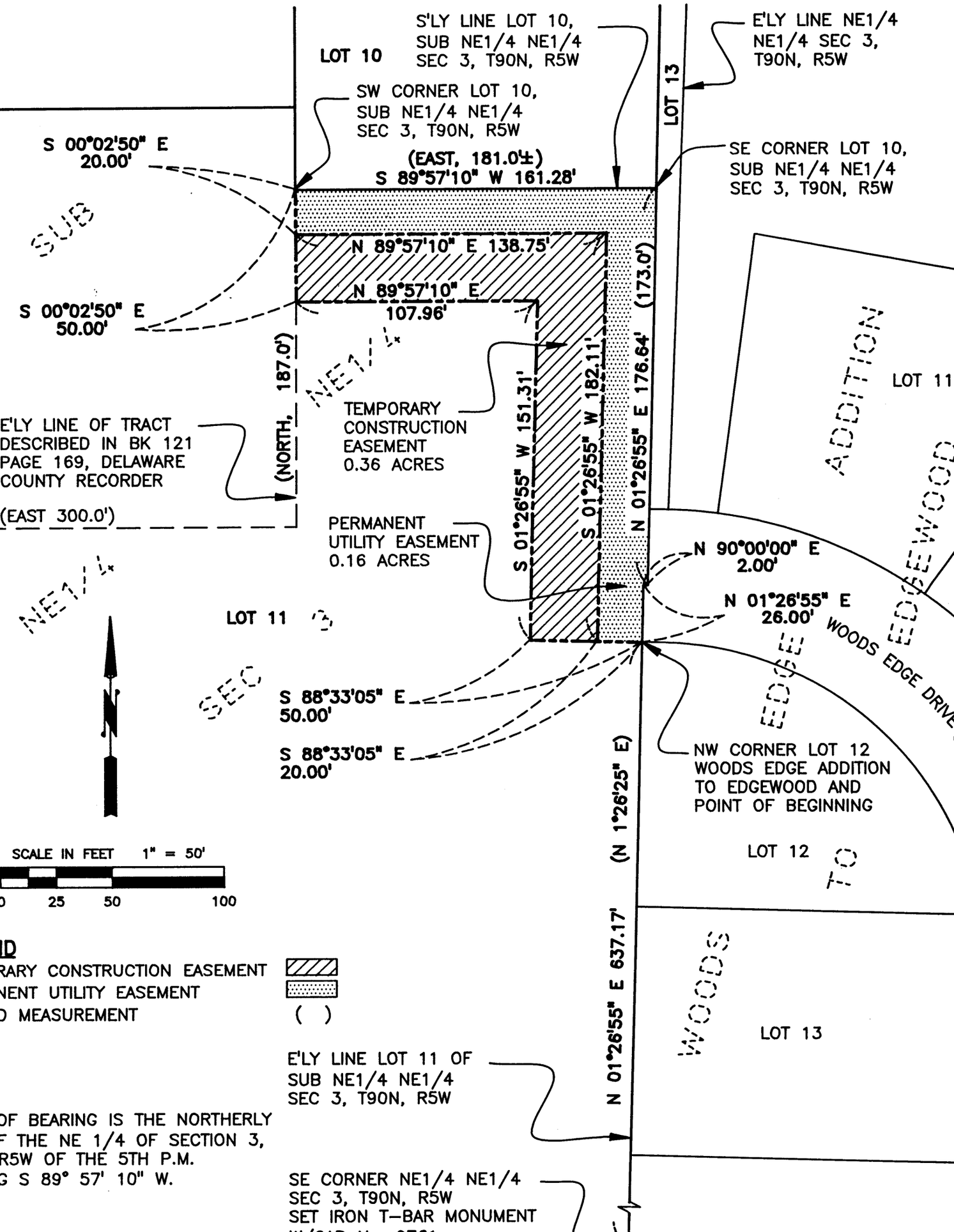
Richard H Hood

NOTARY PUBLIC, IN AND FOR THE STATE OF IOWA.

D BY: LAWRENCE A. BOYER WHKS & CO., 450 CENTRAL AVENUE, DUBUQUE, IOWA 52001 (319

UTILITY EASEMENT

IN LOT 11 OF THE SUBDIVISION OF THE NE 1/4 OF THE NE 1/4 OF SECTION 3, T90N, R5W, OF THE 5TH P.M. CITY OF EDGEWOOD, DELAWARE COUNTY, IOWA



ID

RARY CONSTRUCTION EASEMENT

NENT UTILITY EASEMENT

) MEASUREMENT

( )

OF BEARING IS THE NORTHERLY F THE NE 1/4 OF SECTION 3, R5W OF THE 5TH P.M. G S 89° 57' 10" W.

DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT

IN LOT 11 OF THE SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, T90N, R5W OF THE 5TH P.M. CITY OF EDGEWOOD, DELAWARE COUNTY, IOWA.

Commencing at the Southeast corner of the Northeast quarter of the Northeast quarter of Section 3, Township 90 North, Range 5 West of the 5th Principal Meridian, City of Edgewood, Delaware County, Iowa; thence North 01 degrees 26 minutes 55 seconds East, 637.17 feet along the Easterly line of Lot 11 of the Subdivision of said Northeast quarter of the Northeast quarter to the point of beginning, said point being the Northwest corner of Lot 12 of Woods Edge Addition to the City of Edgewood; thence continuing North 01 degrees 26 minutes 55 seconds East, 26.00 feet; thence North 90 degrees 00 minutes 00 seconds East, 2.00 feet along said Easterly line of Lot 11; thence North 01 degrees 26 minutes 55 seconds East, 176.64 feet along said Easterly line of Lot 11 to the Southeast corner of Lot 10 of said Subdivision of the Northeast quarter of the Northeast quarter; thence South 89 degrees 57 minutes 10 seconds West, 161.28 feet to the Southwest corner of said Lot 10 being a point on the Easterly line of that tract of land described in Book 121, Page 169 in the Office of the Delaware County Recorder; thence South 00 degrees 02 minutes 50 seconds East, 50.00 feet along said Easterly line; thence North 89 degrees 57 minutes 10 seconds East, 107.96 feet parallel with the Southerly line of said Lot 10; thence South 01 degrees 26 minutes 55 seconds West, 151.31 feet parallel with the Easterly line of said Lot 11; thence South 88 degrees 33 minutes 05 seconds East, 50.00 feet to the point of beginning; containing 0.36 acres.

DESCRIPTION FOR PERMANENT UTILITY EASEMENT

IN LOT 11 OF THE SUBDIVISION OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 3, T90N, R5W OF THE 5TH P.M. CITY OF EDGEWOOD, DELAWARE COUNTY, IOWA.

Commencing at the Southeast corner of the Northeast quarter of the Northeast quarter of Section 3, Township 90 North, Range 5 West of the 5th Principal Meridian, City of Edgewood, Delaware County, Iowa; thence North 01 degrees 26 minutes 55 seconds East, 637.17 feet along the Easterly line of Lot 11 of the Subdivision of said Northeast quarter of the Northeast quarter to the point of beginning, said point being the Northwest corner of Lot 12 of Woods Edge Addition to the City of Edgewood; thence continuing North 01 degrees 26 minutes 55 seconds East, 26.00 feet; thence North 90 degrees 00 minutes 00 seconds East, 2.00 feet along said Easterly line of Lot 11; thence North 01 degrees 26 minutes 55 seconds East, 176.64 feet along said Easterly line of Lot 11 to the Southeast corner of Lot 10 of said Subdivision of the Northeast quarter of the Northeast quarter; thence South 89 degrees 57 minutes 10 seconds West, 161.28 feet to the Southwest corner of said Lot 10 being a point on the Easterly line of that tract of land described in Book 121, Page 169 in the Office of the Delaware County Recorder; thence South 00 degrees 02 minutes 50 seconds East, 20.00 feet along said Easterly line; thence North 89 degrees 57 minutes 10 seconds East, 138.75 feet parallel with the Southerly line of said Lot 10; thence South 01 degrees 26 minutes 55 seconds West, 182.11 feet parallel with the Easterly line of said Lot 11; thence South 88 degrees 33 minutes 05 seconds East, 20.00 feet to the point of beginning; containing 0.16 acres.

PROPRIETORS: Gerald L. Perrinjaquet
Majorie M. Perrinjaquet

Project 5646A
Sheet 2 of 2

WHKS & CO.
ENGINEERS — PLANNERS — LAND SURVEYORS
450 CENTRAL AVENUE 319-582-5481 DUBUQUE, IOWA 52001-7024