City of Edgewood
P.O. Box 397
Edgewood IA
52042-0397

1603
DELAWARE COUNTY IOWA
FILED
1998 NO -6 PM 3:47
BOOK 8 PAGE 139
DEBORAH L. FERON
DELAWARE CO RECORDER
$11.00

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:

> Lots 8 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 thirty feet in width, as shown on Exhibit "A," which is attached hereto and hereby incorporated by reference. The GRANTORS also grant a fifty 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.

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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 3rd day of November, 1998.

By: Gerald L. Perrinjaquet (SEAL)

By: Marjorie M. Perrinjaquet (SEAL)

STATE OF IOWA, DELAWARE COUNTY, ss:

On this 3 day of November, A.D. 199__, 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. STOOL IOWA NOTARIAL SEAL

Richard H. Stool

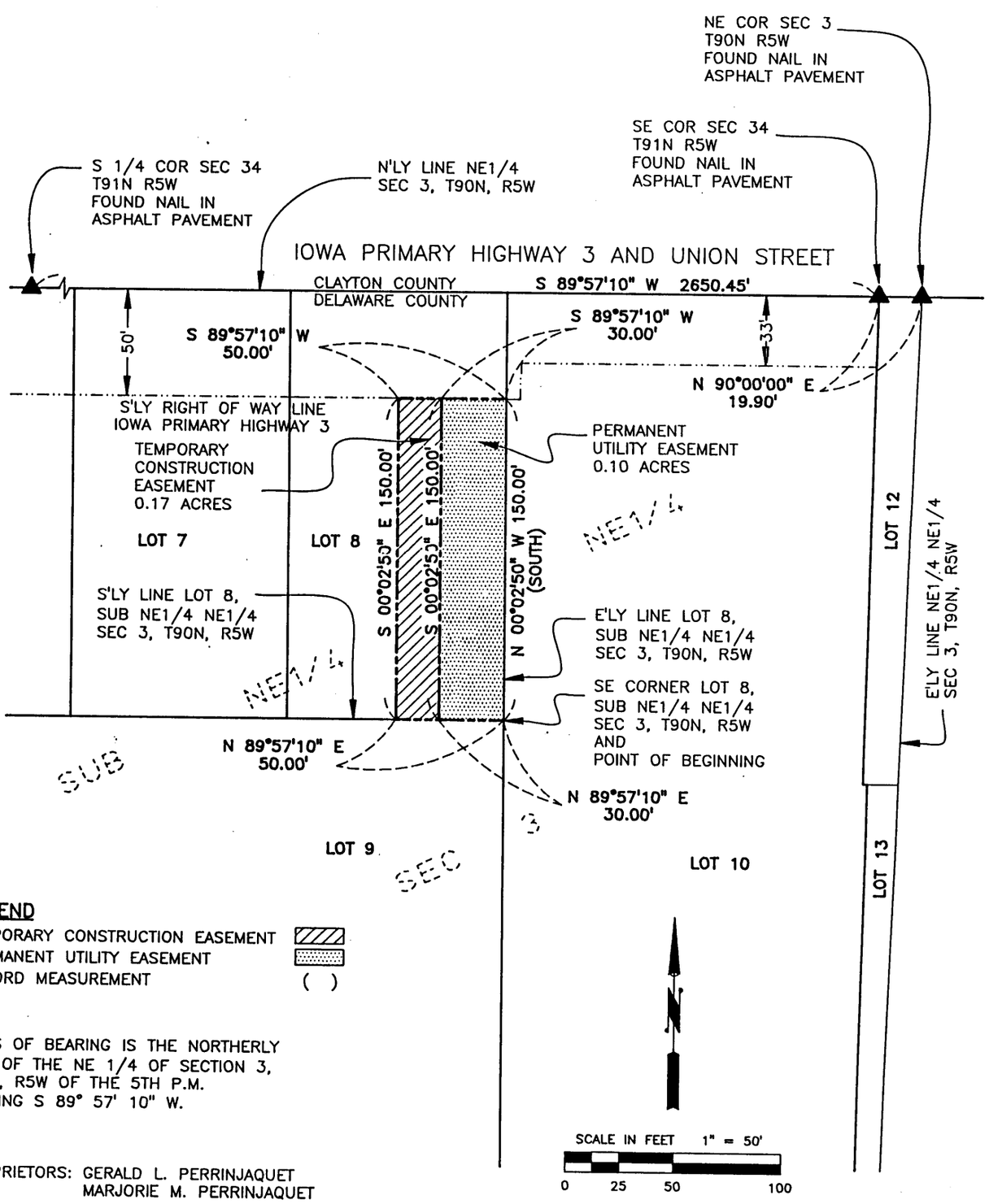
Notary Public, In and For the State of Iowa.

EXHIBIT "A"

PREPARED BY: LAWRENCE A. BOYER WHKS & CO., 450 CENTRAL AVENUE, DUBUQUE, IOWA 52001 (319)582-5481

REVISED UTILITY EASEMENT

IN LOT 8 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



LEGEND

TEMPORARY CONSTRUCTION EASEMENT
PERMANENT UTILITY EASEMENT
RECORD MEASUREMENT ( )

BASIS OF BEARING IS THE NORTHERLY LINE OF THE NE 1/4 OF SECTION 3, T90N, R5W OF THE 5TH P.M. BEARING S 89° 57' 10" W.

PROPRIETORS: GERALD L. PERRINJAQUET
MARJORIE M. PERRINJAQUET

Easement Requested By :
CITY OF EDGEWOOD

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

LICENSED LAND SURVEYOR
LAWRENCE A. BOYER
9761
IOWA

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Lawrence A. Boyer OCTOBER 28, 1998
Lawrence A. Boyer Date
License Number 9761
My license renewal date is December 31, 1998.
Sheets covered by this seal: 1 and 2 of 2

PROJECT: 5646C

DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT

IN LOT 8 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.

Beginning at the Southeast corner of Lot 8 of the Subdivision 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 00 degrees 02 minutes 50 seconds West, 150.00 feet along the Easterly line of said Lot 8 to the Southerly right of way line of Iowa Primary Highway 3; thence South 89 degrees 57 minutes 10 seconds West, 50.00 feet along said right of way line; thence South 00 degrees 02 minutes 50 seconds East, 150.00 feet parallel with the Easterly line of said Lot 8; thence North 89 degrees 57 minutes 10 seconds East, 50.00 feet along the Southerly line of said Lot 8 to the point of beginning; containing 0.17 acres.

DESCRIPTION FOR PERMANENT UTILITY EASEMENT

IN LOT 8 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.

Beginning at the Southeast corner of Lot 8 of the Subdivision 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 00 degrees 02 minutes 50 seconds West, 150.00 feet along the Easterly line of said Lot 8 to the Southerly right of way line of Iowa Primary Highway 3; thence South 89 degrees 57 minutes 10 seconds West, 30.00 feet along said right of way line; thence South 00 degrees 02 minutes 50 seconds East, 150.00 feet parallel with the Easterly line of said Lot 8; thence North 89 degrees 57 minutes 10 seconds East, 30.00 feet along the Southerly line of said Lot 8 to the point of beginning; containing 0.10 acres.

PROPRIETORS: Gerald L. Perrinjaquet
Marjorie M. Perrinjaquet

Project 5646C
Sheet 2 of 2

Revised October 28, 1998

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