City of Manchester

2031
DELAWARE COUNTY IOWA
FILED
1998 DE 11 AM 11:02
BOOK 8 PAGE 159
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
11.00

Preparer: James T. Peters, P.O. Box 774, Independence, IA 50644 (319)334-9992

NOTICE AND AGREEMENT REGARDING SEWER LINE

THE UNDERSIGNED Mike Loecke, as owner of the following-described premises:

Parcel H being part of Lot One (1) of Friedlein Subdivision in Section 31, Township 89 North, Range 5 West of the 5th Principal Meridian, in the City of Manchester, Delaware County, Iowa, containing 37.998 square feet (0.87 acres), more or less, and more particularly described by metes and bounds as follows:
Commencing at the North 1/4 corner of Section 31, Township 89 North, Range 5 West of the 5th P.M.; thence South 00 degrees 02 minutes 25 seconds West, 1328.15 feet along the North-South 1/4 section line of said Section 31; thence North 89 degrees 56 minutes 31 seconds East, 166.64 feet to the point of beginning; thence North 89 degrees 56 minutes 31 seconds East, 190.00 feet, thence North 00 degrees 10 minutes 46 seconds East, 200.00 feet; thence South 89 degrees 56 minutes 31 seconds West, 189.98 feet; thence South 00 degrees 10 minutes 45 seconds West, 200.00 feet to the point of beginning. Said described parcel contains 37,996 square feet (0.87 acres), more or less, all being located in the City of Manchester, Delaware County, Iowa.
NOTE: The North-South 1/4 section line of Section 31, T89N, R5W is assumed to bear S 00 degrees 02 minutes 25 seconds West.

and the City of Manchester, Iowa, hereby state and agree as follows:

1. That Mike Loecke as owner of the above-described property, provided for the construction of a sewer line approximately 300 feet in length on the above-described property. The sewer line was placed and covered up before any inspection could take place by the City of Manchester, Iowa.

2. Mike Loecke states that Horsfield Construction Company of 119 A Street, McGregor, Iowa, performed the construction services for the sewer pipe.

3. Mike Loecke, his heirs and assigns, and the City of Manchester, Iowa, hereby agree that the City shall not be

responsible for any costs resulting from repairs, maintenance, reconstruction, or otherwise as a result of said sewer line which was constructed and covered before inspection could take place.

4. This document shall be filed in the Office of the Delaware County Recorder to place all owners and future owners of the above-described property on notice of the fact that the City shall not be responsible for any costs resulting from defects in the construction of said sewer line.

Mike Loecke - Michael F. Loecke

STATE OF IOWA, COUNTY OF DELAWARE, SS:

On this 12 day of NOV, 1998, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Mike Loecke, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that he executed the same as his voluntary act and deed.

Notary Public in and for the State of Iowa

CITY OF MANCHESTER, IOWA

BY: Milt L. Kramer
Milt L. Kramer, Mayor

BY: Karen K. Cole
Karen K. Cole, City Clerk

STATE OF IOWA )
) SS:
COUNTY OF DELAWARE )

On this 8th day of December, 1998, before me, the undersigned, 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 R-270-98 passed (the Resolution adopted) by the City Council, under Roll Call No. _____ of the City Council on the 7th day of December, 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

Linda K. Tutton
Notary Public in and for the State of Iowa