City of Manchester

DELAWARE COUNTY IOWA
FILED
1999 MR 17 AM 9:01
BOOK 1999 PAGE 909
DEDORAH L. PEYTON
DELAWARE CO. RECORDER
$11.00

Al Miller, Tri State Engineers P. O. Box 357, Manchester, Iowa 319-927-2060

EASEMENT FOR UTILITIES

THIS AGREEMENT made this 11th day of March, 1999, by and between LOUISE M. HERMSEN, Party of the First Part; and the CITY OF MANCHESTER, IOWA, an Iowa Municipal Corporation, Party of the Second Part;

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 and a temporary construction easement to enter upon, erect, construct, install and lay, and thereafter use, operate, inspect, repair, maintain, replace and remove utilities upon, over, along, under and across the following described real estate situated in the City of Manchester, Delaware County, Iowa:

> That part of the North Half (N1/2) of the Southeast Quarter (SE 1/4) of Section Twenty (20), Township Eighty-Nine (89) North, Range Five (5) West of the Fifth Principal Meridian described as commencing at a point 1635.2 feet West and 33 feet South of the Northeast corner of said Southeast Quarter (SE 1/4), thence South 150 feet, thence West 104.79 feet, thence North on a line parallel with the East line of County Road D13 to a point 100 feet West of the point of beginning, thence East 100 feet to the point of beginning.

THE PERPETUAL EASEMENT

> shall be described as the West 15.0 feet of the above described parcel.

THE TEMPORARY EASEMENT

> shall be described as the West 25.0 feet of the above described parcel.

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

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 utilities without written permission from the Grantee.

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

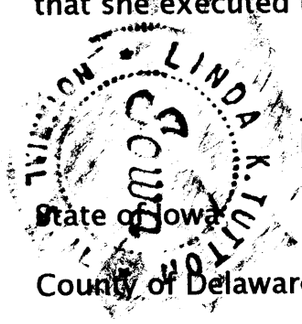
By: Karen K. Cole
Karen K. Cole, City Clerk

Grantee, Louise M. Hermsen

By: Louise M. Hermsen
Louise M. Hermsen

State of Iowa)
) ss:
County of Delaware)

On this 11th day of March, A.D. 1999 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Louise M. Hermsen, to me known, to be the identical person named in, and who executed the foregoing instrument and acknowledged that she executed the same as her voluntary act and deed.



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

State of Iowa)
)ss:
County of Delaware)

On this 16th day of March, 1999, 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, who, being first duly sworn did say that they are the Mayor and City Clerk respectively of the City of Manchester, Iowa, executing the within and foregoing instrument, that the seal affixed thereto is the seal of the City of Manchester, Iowa, that said instrument was signed and sealed on behalf of the City of Manchester, Iowa, by resolution of the City Council of the City of Manchester, Iowa, authorizing said execution, and that said Milt L. Kramer and Karen K. Cole as such officers acknowledged the execution of said instrument to be the voluntary act and deed of the City of Manchester, Iowa, by it and by them voluntarily executed.



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