Town - City of Manchester

DELAWARE COUNTY IOWA
FILED
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BOOK 2000 PAGE 1101
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
$16.00

Prepared by: SCHNEIDER Land Surveying and Planning P.O.Box 105 Peosta, Iowa 52068 Ph#319-556-9055

PLAT OF EASEMENT

PART OF LOT 12 IN THE E3/4 OF THE S1/2, OF SEC. 32, T89N, R5W OF THE 5th P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

GRAPHIC SCALE 1"=100'
300 200 100 0

PROPRIETOR:
DEL-QUE FARM SERVICE COMPANY

SURVEY REQUESTED BY:
TRI-STATE ENGINEERS P.C.

LEGAL DESCRIPTION:
SEE SHEET 2

ILLINOIS CENTRAL RAILROAD
RAILROAD RIGHT OF WAY LINE

E'ERLY CORNER LOT 12, SUBD. OF THE E3/4, OF THE S1/2, SEC. 32-89-5 SET 1/2" REBAR w/ YELLOW CAP #14417

REC. AS: 227.9'
S88°12'22"E
224.23'
27.49'
141.07'

N41°31'35"W
33.67'

CENTERLINE OF SOUTH 3rd STREET

EAST LINE OF LOT 12

WEST R.O.W. LINE OF SOUTH 3rd STREET

EAST R.O.W. LINE OF SOUTH 3rd STREET

SET 1/2" REBAR w/ YELLOW CAP #14417 (TYP.)

41.24'
20.0'
30.0'
40.5'
55.67'

PUBLIC UTILITY EASEMENT (20')
0.21 ACRES

TEMPORARY CONSTRUCTION EASEMENT (30')
0.32 ACRES

S41°31'35"E 461.08'
N41°31'35"W 462.50'
N41°31'35"W 459.16'

SOUTH 3rd STREET

REC. AS: 350'
347.40'

33' 33'
66'

APPROX. 1/4-1/4 LINE

1.5" PIPE FOUND

SET MAG NAIL IN ASPHALT

100'
50' 50'

SET CUT 'X' IN CONCRETE

412.32'
26.85'
40.5'
54.37'

N89°40'45"W 506.96'

40.27'

N41°31'35"W
962.48'
664.03'

EXISTING 20' SEWER MAIN EASEMENT RECORDED OCT. 23rd, 1964 IN MISC. BOOK J AT PAGE 612.

SE CORNER LOT 12, SUBD. OF THE E3/4, OF THE S1/2, SEC. 32-89-5 SET MAG NAIL IN ASPHALT PAVEMENT

FOUND 5/8" ROD w/ CAP #7771

LOT 12, SUBD. OF THE E3/4, S1/2, SEC. 32-89-5 CITY OF MANCHESTER, DELAWARE COUNTY, IOWA

495.60'

5/8" SMOOTH BAR FOUND

LICENSED LAND SURVEYOR
DAVID P. SCHNEIDER
14417
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.

David P. Schneider 4/15/2000

David P. Schneider P.L.S. #14417 Date:
My license renewal date is December 31, 2001.

Pages or sheets covered by this seal: Sheet 1 and legal descriptions on sheet 2.

SCHNEIDER
Land Surveying & Planning
P.O. Box 105
Peosta, Iowa 52068
Ph# 319-556-9055
Fax 319-556-9054

Project: 00-0116
Date: 4/10/2000
Sheet: 1 of 3

EASEMENT FOR UTILITIES

This agreement made this 17th day of April, 2000, by and between Three Rivers FS Co MA, Party of the First Part; and the City of Manchester, Iowa, and 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 Lot 12 of the Subdivision of the East three-fourths of the South one half of Section 32, Township 89 North, Range 5 West of the Fifth P.M., described as: Commencing at a point on the east line of the railroad right of way 830.28 feet south of the intersection of said east line of the railroad right of way with the south line of Lot 8 of said Subdivision, thence running south along said railroad right of way line 350 feet, thence east to the east line of said Lot 12, thence northwesterly along said east line of Lot 12 to a point directly east of the point of beginning, thence west to the point of beginning; reserving the right for construction of a spur track by Illinois Central Railroad Company across said property from the northwest to the southeast for use and service of above said property and for use and service of other property to the east of that herein described.

THE PERPETUAL PUBLIC UTILITY EASEMENT

A strip of land 20.0 feet in width across the above described property being more particularly described as follows: Commencing at the Southeast corner of said Lot 12; thence N41°31'35"W, 962.48 feet along the east line of said Lot 12 to the southeast corner of the previously described property; thence N89°40'45"W, 54.37 feet along the south line of said property to the west right of way line of South 3rd Street and the point of beginning; thence continuing N89°40'45"W, 26.85 feet; thence N41°31'35"W, 462.03 feet; to the north line of said property; thence S88°12'22"E, 27.49 feet along said north line to the west right of way line of South 3rd Street; thence S41°31'35"E, 461.08 feet along said west right of way line to the point of beginning, containing 0.21 acres.

THE TEMPORARY CONSTRUCTION EASEMENT

A strip of land 30.0 feet in width across the above described property being more particularly described as follows: Commencing at the Southeast corner of said Lot 12; thence N41°31'35"W, 962.48 feet along the east line of said Lot 12 to the southeast corner of the previously described property; thence N89°40'45"W, 54.37 feet along the south line of said property to the west right of way line of South 3rd Street and the point of beginning; thence continuing N89°40'45"W, 40.27 feet; thence N41°31'35"W, 462.50 feet to the north line of said property; thence S88°12'22"E, 41.24 feet along said north line to the west right of way line of South 3rd Street; thence S41°31'35"E, 461.08 feet along said west right of way line to the point of beginning, containing 0.32 acres.

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

THREE RIVERS FS COMPANY
Grantee

By Don Albrecht Gen Mgr

State of Iowa)
) ss:
County of Delaware)

On this 17th day of April, A.D. 2000 before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Don Albrecht to me known, to be the identical person named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

David Kirsch
Notary Public in and for the State of Iowa

State of Iowa)
)ss:
County of Delaware)

On this 5th day of May, 2000, 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.

Julie A Swanson #224151
Notary Public in and for the State of Iowa
EXP 8-23-2002

STATE OF IOWA, DELAWARE COUNTY, ss:

On this 24 day of May, 2000, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Don Albrecht, General Manager of said corporation executing the within and foregoing instrument to which this is attached, ~~(no seal has been procured by the said) corporation~~; that said instrument was signed (and sealed) on behalf of (the seal affixed thereto is the seal of said) said corporation of authority of its Board of Directors; and that the said Don Albrecht as such officer acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

David Kirsch
Notary Public in and for
said County and State