Del. Co. Mutual Ins
101 Legion St.
Manchester IA
52057

DELAWARE COUNTY IOWA
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DEBORAH L. PEYTON
DELAWARE CO. RECORDER
No. 0

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

AGREEMENT FOR CONSTRUCTION OF SIGN IN CITY RIGHT-OF-WAY

WHEREAS, the City of Manchester, Iowa, is the holder of a right-of-way over and across the property located at 101 Legion Street, Manchester, Iowa, and more specifically described on the attached diagram; and

WHEREAS, the above-described property is owned by Delaware County Mutual Insurance Association and utilized for professional offices; and

WHEREAS, a sign utilized by Delaware County Mutual Insurance Association has, for a significant period of time, been located as shown on the attached diagram and referred to as a "planter"; and

WHEREAS, the above-referenced sign is located within the city right-of-way; and

WHEREAS, construction is anticipated to take place in the general vicinity of the sign and right-of-way shown on the attached diagram and the parties wish to enter into a formal agreement specifying the relative rights of the parties with regard to placement of a modified sign partially located within the City right-of-way.

THE PARTIES HEREBY AGREE as follows:

1. That Delaware County Mutual Insurance Association, hereinafter referred to as "property owner", shall have the right to maintain a sign located within the City right-of-way extending no more than 4 feet into the City right-of-way, to be located only within the area of the initial sign (referred to as "planter" on the attached diagram).

2. Property owner shall pay for the cost of recording this agreement.

3. The right to continued use of the sign on City right-of-way shall run with the land and shall be subject to termination under circumstances terminating "non-conforming uses" under the City Code.

DELAWARE COUNTY MUTUAL
INSURANCE ASSOCIATION

BY: Duane A Gill

BY: Gene Kelle

STATE OF IOWA, COUNTY OF DELAWARE, SS:

On this 7th day of September, 2000, before me, the undersigned, a Notary Public in and for said State, personally appeared Gene Helle and Duane Hall, to me personally known, who being by me duly sworn, did say that they are the President and Sec-Treas. respectively, of the corporation executing the within and foregoing instrument, that (no seal has been procured by the) ~~(the seal affixed thereto is the seal of the)~~ corporation; that the instrument was signed ~~(and sealed)~~ on behalf of the corporation by authority of its Board of Directors; and that Gene Helle and Duane Hall as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Danielle M. Goebel
Notary Public - State of Iowa
Notarial Seal
My Commission Expires 2/7/03

Danielle M. Goebel
Notary Public in and for said State

CITY OF MANCHESTER, IOWA

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

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

STATE OF IOWA, COUNTY OF DELAWARE, ss:

On this 21st day of Sept. 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 by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Manchester, Iowa; a municipal corporation; 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 Resolution No. 117-2000 passed by the City Council under Roll Call No. _____ of the City Council on the 18th day of September, 2000; and 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.

Julie A. Swanson
Julie A. Swanson Notary Public in and for said State.
#224151

Attachment to Agreement for Construction of Sign in City Right of Way for
Delaware County Mutual Insurance Association

