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DELAWARE COUNTY IOWA
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BOOK 302 PAGE 206
DEBORAH L. PEYTON
DELAWARE CO. RECORDER
16.00

EASEMENT

This agreement made this 19 day of July, 2000 by and between LeRoy Recker and Edna Recker hereinafter Reckers and the City of Dundee, IA hereinafter City,

WITNESSETH:

Reckers in consideration of the sum of One Dollar ($1.00) and the benefits to be derived by this agreement do hereby grant to City the perpetual right and easement to enter upon, construct and form and thereafter use, inspect and maintain a water drainage raceway (an open earthen channel) across the property of Reckers described on Exhibit "A" attached hereto.

City shall have the right of necessary ingress and egress to and from the area to construct, maintain, inspect, rebuild, repair or replace the raceway.

Reckers agree to erect no buildings, obstructions or other improvements upon or under the property covered by this easement which would interfere with the purposes herein declared, which easement is to carry surface water in a controlled manner.

City shall use all necessary care in constructing and maintaining the raceway and shall restore Recker land not a part of the raceway to as near to its present condition upon completion as possible.

This easement and the rights herein described shall be binding upon the Reckers, their heirs, successors and assigns. This easement shall be perpetual and shall run with the land.

LeRoy Recker

Edna Recker

CITY OF DUNDEE, IOWA

BY: _____
Mayor

BY: _____
Clerk

STATE OF IOWA)
) SS
DELAWARE COUNTY)

On this 19 day of July, 2000 before me, the undersigned, a Notary Public in and for said State personally appeared LeRoy Recker and Edna Recker to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged to me that they executed the same as their voluntary act and deed.

MARSHA M. DONALDSON
MY COMMISSION EXPIRES
1-17-2003

Notary Public in and for State of Iowa

STATE OF IOWA)
) SS
DELAWARE COUNTY)

On this 23 day of Aug. 2000 before me a Notary Public in and for the State of Iowa personally appeared Edward D. Gibbs and Glenn L. Puffett, to me personally known and, who, being by me duly sworn, did say that they are the Mayor and the City Clerk, respectively, of the City of Dundee, Iowa; and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council and that the said Mayor and City Clerk as such officers, acknowledged the execution of this instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

CAROL A. COOPER
Iowa
NOTARIAL SEAL

Notary Public in and for State of Iowa

EXHIBIT "A"

Lots 1, 2, 3, 4, 5,6,7 and 8 of Block 1. and Lots 1,2.and 4 of Block 7, all in Williams Addition to Dundee, Iowa. The Northeast Quarter (NE¼) of the Northwest Quarter (NW¼) of Section 34; that part of the East half (E½) of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) that lies South of the Railroad right of way, the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼), that part of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) that lies South of the Railroad right of way, the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼), that part of the West half (W½) of the Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) that lies South of the Railroad right of way except 4.58 acres described as commencing at the Southwest corner of said Northeast Quarter (NE¼) of the Southwest Quarter (SW¼), running thence East 333.6 ft., thence North 599.0 ft., thence South 89° 42' West 333.6 ft. to the West line of said Northeast Quarter (NE¼) of the Southwest Quarter (SW¼) thence South to place of beginning, all in Section 27; all of the foregoing in Township 90 North, Range 6, West of the 5th P.M.