DELAWARE COUNTY IOWA
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DEBORAH L. PEYTON
DELAWARE CO. RECORDER
16.00

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Dundee, IA 52038

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MANCHESTER, IA 52057 319-927-4164

WATER DRAINAGE EASEMENT

This agreement made this 24th day of July, 2000 by and between Robert P. Mescher and LuAnn A. Mescher hereinafter Meschers and the City of Dundee, IA hereinafter City,

WITNESSETH:

Meschers in consideration 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 Meschers 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.

Meschers 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 Mescher land not a part of the raceway to as near to its present condition upon completion as possible.

City shall further respect the underground tile pipes it already has in place on the same property herein described and for which easement was granted by Meschers to City by previous agreement.

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

Robert P. Mescher

Robert P. Mescher

LuAnn A. Mescher

LuAnn A. Mescher

CITY OF DUNDEE, IOWA

BY: Edward D. Gibbs
Mayor

BY: Glenn L. Puffett
Clerk

DUNDEE IOWA SEAL

STATE OF IOWA)
) SS
DELAWARE COUNTY)

On this 24th day of July, 2000 before me, the undersigned, a Notary Public in and for said State personally appeared Robert P. Mescher and LuAnn A. Mescher 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.

NOTARIAL SEAL IOWA
SANDRA R. WEGMANN
MY COMMISSION EXPIRES
2-16-01

Sandra R Wegmann
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

Carol A. Cooper
Notary Public in and for State of Iowa

EXHIBIT "A"

That part of the North Half of the Southwest Quarter of Section 27, Township 90 North, Range 6 West of the Fifth Principal Meridian, bounded and described as follows: Beginning at the intersection of the East line of Main Street and the Southerly line of First Street in Dundee; thence Easterly along said Southerly line of First Street a distance of 410 feet, more or less, to a point on the West line of the Northeast Quarter of the Southwest Quarter of said Section 27; thence Southerly along said West line a distance of 85 feet, more or less, to a point distant 50 feet Northerly, measured at right angles, from the center line of the main track (now removed) of the Minnesota and North Western Railway Company (later the Chicago Great Western Railway Company, now the Chicago and North Western Transportation Company), as said main track center line was originally located and established over and across said Section 27; thence Easterly parallel with said original main track center line a distance of 710 feet, more or less, to a point on a line drawn at right angles to said center line at a point thereon distant 580.7 feet Westerly from the intersection thereof with the East line of the Southwest Quarter of said Section 27; thence Southerly along said last described right angle line a distance of 200 feet; thence Westerly parallel with and distant 150 feet Southerly, measured at right angles from said center line, a distance of 690 feet, more or less, to a point on the West line of the Northeast Quarter of the Southwest Quarter of said Section 27; thence Northerly along said West line a distance of 52 feet, more or less, to a point on the Northerly line of North Street in Dundee; thence Westerly along said Northerly line of North Street a distance of 420 feet, more or less, to a point on the East line of said Main Street; thence Northerly along said East line of Main Street a distance of 205 feet, more or less, to the point of beginning.