City of Dundee
Attn: Michele Bandy
125 S. Main St.
Dundee, IA 52038

DELAWARE COUNTY IOWA
FILED
2001 AP 27 PM 2:10
BOOK 196 PAGE 135
DEBORAH L. PRYTON
DELAWARE CO RECORDER
20.00

CARR & CARR LAWYERS P.O. BOX 333
MANCHESTER, IA 52057 319-927-4164

WATER DRAINAGE EASEMENT

This agreement made this 25 day of October, 2000 by and between Puffett Farms, Inc. and the City of Dundee, IA hereinafter City,

WITNESSETH:

Puffett Farms, Inc. in consideration of One Dollar ($1.00) and the benefits to be derived by this agreement does hereby grant to City a perpetual easement for a water drainage raceway (an open earthen and grassway channel) across its property shown on Exhibit "A" attached hereto.

City shall have the right of necessary ingress and egress to and from the area to construct the raceway. City shall further have the right to inspect, maintain, or repair the raceway. However it is understood that these future rights with respect to Lots 1-10 and Lot 21 of Puffett First Addition shall be done from East Street only.

Construction of the 13 foot easement crossing Lots 1-10 and Lot 21 of Puffett First Addition shall be with a slope of 4 to 1 and the bottom of the ditch is to be 5 feet east of the present seal coat on East Street. Seeding with cover shall be done 7 feet east of the ditch bottom of the easement.

Puffetts 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 Puffetts land not a part of the raceway used for construction to as near to its present condition upon completion as possible. City shall assume all responsibility for future maintenance and repair of the raceway.

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

PUFFETT FARMS, INC.

BY: Glenn L. Puffett
President

CITY OF DUNDEE, IOWA

BY: Edward D. Gibb
Mayor

BY: Michele Bandy
Clerk

STATE OF IOWA)
) SS
DELAWARE COUNTY)

On this 25th day of October, 2000 before me a Notary Public in and for the State of Iowa personally appeared Glenn L. Puffett, to me personally known and, who being by me duly sworn, did say that he is the president of Puffett Farms, Inc.; and that the instrument was signed on behalf of the corporation by authority of its Board of Directors and that the said Glenn L. Puffett as such officer acknowledged the execution of this instrument to be the voluntary act and deed of said corporation, by it and by him voluntarily executed.

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

STATE OF IOWA)
) SS
DELAWARE COUNTY)

On this 19 day of April, ~~2000~~ 2001 before me a Notary Public in and for the State of Iowa personally appeared Edward D Gibbs and Michele Bandy, 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
Notary Public in and for State of Iowa

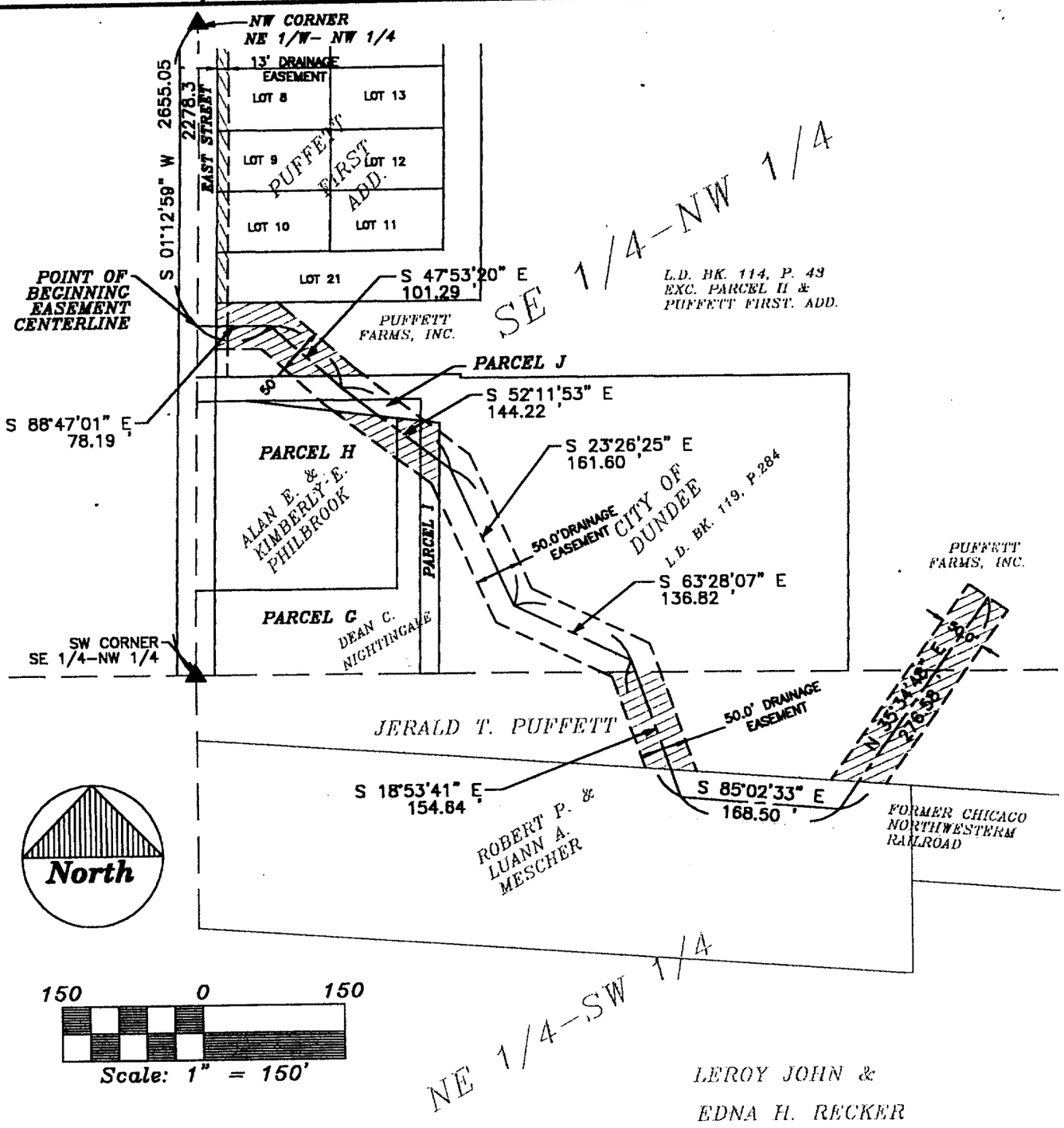


PREPARED BY: J DAVID GIBBS; P.O. BOX 295 MANCHESTER, IA 52057 319-927-2434

EXHIBIT A

DRAINAGE EASEMENT

IN THE SE 1/4 OF THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4
SECTION 27, T90N, R6W OF THE FIFTH P.M., DELAWARE COUNTY, IOWA



SURVEY REQUESTED BY: CITY OF DUNDEE

PROJECT NO. 00-40

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.

J. David Gibbs 8/31/00

J. DAVID GIBBS, P.E., L.S. LIC. #8419 DATE

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2000

LICENSED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

PAGES OR SHEETS COVERED BY THIS SEAL:

SCALE: 1"=150'
DATE: 8/30/00
DRAWN BY: JDG
CHECKED BY:
FIELD BK:
REVISED
SHEET 1 OF 2

GIBBS ENGINEERING & SURVEYING
PROFESSIONAL SERVICES BUILDING
223 WEST MAIN STREET, MANCHESTER, IA 52057

LEGAL DESCRIPTION
DRAINAGE EASEMENT CENTERLINE

COMMENCING at the Northwest Corner of the Northeast Quarter of the Northwest Quarter of Section Twenty-seven (27), Township Ninety North (T90N), Range Six West (R6W) of the Fifth Principal Meridian, Delaware County, Iowa;

THENCE along the Westerly Line of the East One-half (E ½) of Said Northwest Quarter, South 01°12'59" West 2,278.3 feet to the **POINT OF BEGINNING**;

THENCE South 88°47'01" East 78.19 feet;

THENCE South 47°53'20" East 101.29 feet;

THENCE South 52°11'53" East 144.22 feet;

THENCE South 23°26'25" East 161.60 feet;

THENCE South 63°28'07" East 136.82 feet;

THENCE South 18°53'41" East 154.64 feet;

THENCE South 85°02'33" East 168.50 feet;

THENCE North 35°34'48" East, 276.58 feet to the **POINT OF TERMINATION**.

The Westerly Line of the East One Half (E ½) of the Northwest Quarter (NW ¼) of Section Twenty-seven (27), Township Ninety North (T90N), Range Six West (R6W) of the Fifth Principal Meridian, is assumed to bear South 01°12'59" West.

SURVEYOR'S CERTIFICATE

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.

J. David Gibbs L.S. #8419 — DATE 8/21/00

My license will be renewed on December 31, 2000

