City of Manchester

DELAWARE COUNTY IOWA
FILED
2001 AU 13 AM 11: 34
BOOK 2001 PAGE 2911
DEBORAH L. FOTON
DELAWARE CO RECORDER
4.00

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

PARTIAL DEFERRAL OF CONNECTION FEES FOR CITY UTILITIES

WHEREAS, the City of Manchester, Iowa, hereinafter referred to as "City", has adopted ordinances providing for establishment of fees for connection to sewer service provided by the City; and

WHEREAS, Charles E. and Gloria J. Kolbet, hereinafter referred to as the owners of property for which they seek to obtain City utility service; and

WHEREAS, the owners of the property more specifically described as shown on Exhibit "A", a copy of which is attached hereto; and

WHEREAS, the City and the owners have agreed that connection fees for City utility services may be partially deferred until such time as additional construction and/or development of the property owned by the Kolbet's should occur.

IT IS THEREFORE AGREED as follows:

1. That the owners shall pay a connection fee for sewer services based upon a 70-foot frontage.

2. In the event development of the property shown on Exhibit "A" results in additional connections to City sewer services, the property owners receiving such services shall pay a connection fee based upon the entire frontage of the property described on Exhibit "A" excepting 70 feet of frontage for which charges have already been assessed.

3. This agreement shall be recorded in the Office of the Delaware County Recorder at the expense of the owners and shall be deemed to run with the land, being binding upon all heirs, transferees and assigns of the property.

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 8th day of August, 2001, 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 Number 130-01 of the City Council on the 6th day of August, 2001, 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
Commission Number 224151
My Comm. Exp. 8-23-02

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

Charles E. Kolbet

Gloria J. Kolbet

STATE OF IOWA, COUNTY OF DELAWARE, SS:

On this 30th day of July, 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared Charles E. Kolbet and Gloria J. Kolbet, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Notary Public in and for said State.

JULIE A. SWANSON
Commission Number 224151
My Comm. Exp. 8-23-02

Exhibit A

Lot Six (6) of the Subdivision of the East three-fourths (E 3/4) of the South one-half (S½) of Section Thirty Two (32), Township Eighty Nine (89) North, Range Five (5), West of the Fifth P.M., according to plat recorded in Book A Plats, Page 5, except commencing at the Northeast corner of said Lot Six (6), thence West twenty five (25) rods to the Northeast corner of Lot Seven (7) of said Subdivision, thence South twenty (20) rods, thence East twenty five (25) rods, thence North twenty (20) rods to the point of beginning.