City of Manchester

DELAWARE COUNTY IOWA
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BOOK 2001 PAGE 3335
DEBORAH L. BRYON
DELAWARE CO. RECORDER
11.00

Prepared by Gibbs Engineering & Surveying, 105 West Main St., Manchester, IA 52057, 563-927-2434

# SANITARY SEWER EASEMENT

This Agreement, made of this 4th day of September, 2001, by and between Walter F. Croskey and Genevieve J. Croskey, Party of the first Part; and the CITY OF MANCHESTER, IOWA, an Iowa Municipal Corporation, Party of the Second Part;

WITNESSETH:

That the Party of the First Part, in consideration of the sum of One Dollar ($1.00) and other valuable consideration, receipt is hereby acknowledged, does hereby grant, bargain, sell and convey to the Party of the Second Part, its successors and assigns, the perpetual right and easement to enter upon, erect, construct, install and lay, and thereafter use, operate, inspect, repair, maintain, replace and remove a sanitary sewer and appurtenances upon, over and along, under and across, the following described real estate situated in Delaware County, Iowa, together with the right of ingress and egress over the adjacent lands of the Grantor, their successors and assigns for the purpose of this easement:

THE PERMANENT EASEMENT (See attached Exhibit A) shall be twenty (20) feet in width centered on a line described as follows:

Commencing at the North West Corner of Lot 5D of the *Subdivision of Lot 5B of the Subdivision of Lot 4 and Lot 5 of Auditor's Plat No. 5 - Tool's First Addition, City of Manchester, Delaware County, Iowa,* as recorded in Book 2001, Page 1574 in the Office of the Delaware County Recorder;

THENCE along the Westerly Line of said Lot 5D, South 00°05'01" East 153.21 feet to the POINT OF BEGINNING;

THENCE South 89°53'35" East 163.00 feet to the POINT OF TERMINATION.

A temporary construction easement shall be sixty (60) feet in width centered along the permanent easement.

The Grantee shall restore the area in the permanent and temporary construction easement areas to a condition similar to the conditions prior to construction, reconstruction or repair. Restoration shall include replacement of topsoil over excavations, and re-grading.

The Grantees shall have the right of ingress and egress to and from said land to survey, erect, construct, maintain, inspect, rebuild, and repair said sanitary sewer together with the right to replace, renew and relocate upon, over and under its right of way, said utilities, or parts thereof, and any appurtenances thereto and the right it remove any and all of said sanitary sewer, lines or appurtenances.

The Grantor agrees to erect no buildings, obstructions or other improvements upon or under the property covered by this easement, which would interfere with the construction, reconstruction or maintenance of said utilities,

This Agreement and rights herein described shall be binding upon the Grantor, its successors and assigns. This easement shall be perpetual and shall run with the land.

In Witness Whereof we hereunto sign our names the day and year last above written.

CITY OF MANCHESTER, IOWA

By Milt L. Kramer
Milt L. Kramer, Mayor

Karen K. Cole
Karen K. Cole, City Clerk

GRANTOR

By Walter F. Croskey
Walter F. Croskey

Genevieve J. Croskey
Genevieve J. Croskey

State of Iowa )
)
County of Delaware ) Ss:

On this 22nd day of August A.D. 2001, before me a Notary Public in and for said County, personally appeared Walter F. Croskey and Genevieve J. Croskey, to me known to be the person(s) named and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Donna M. Kunde
Notary Public in and for said County

DONNA M. KUNDE
Commission Number 175597
My Commission Expires
08-16-03

STATE OF IOWA )
) SS.
COUNTY OF DELAWARE )

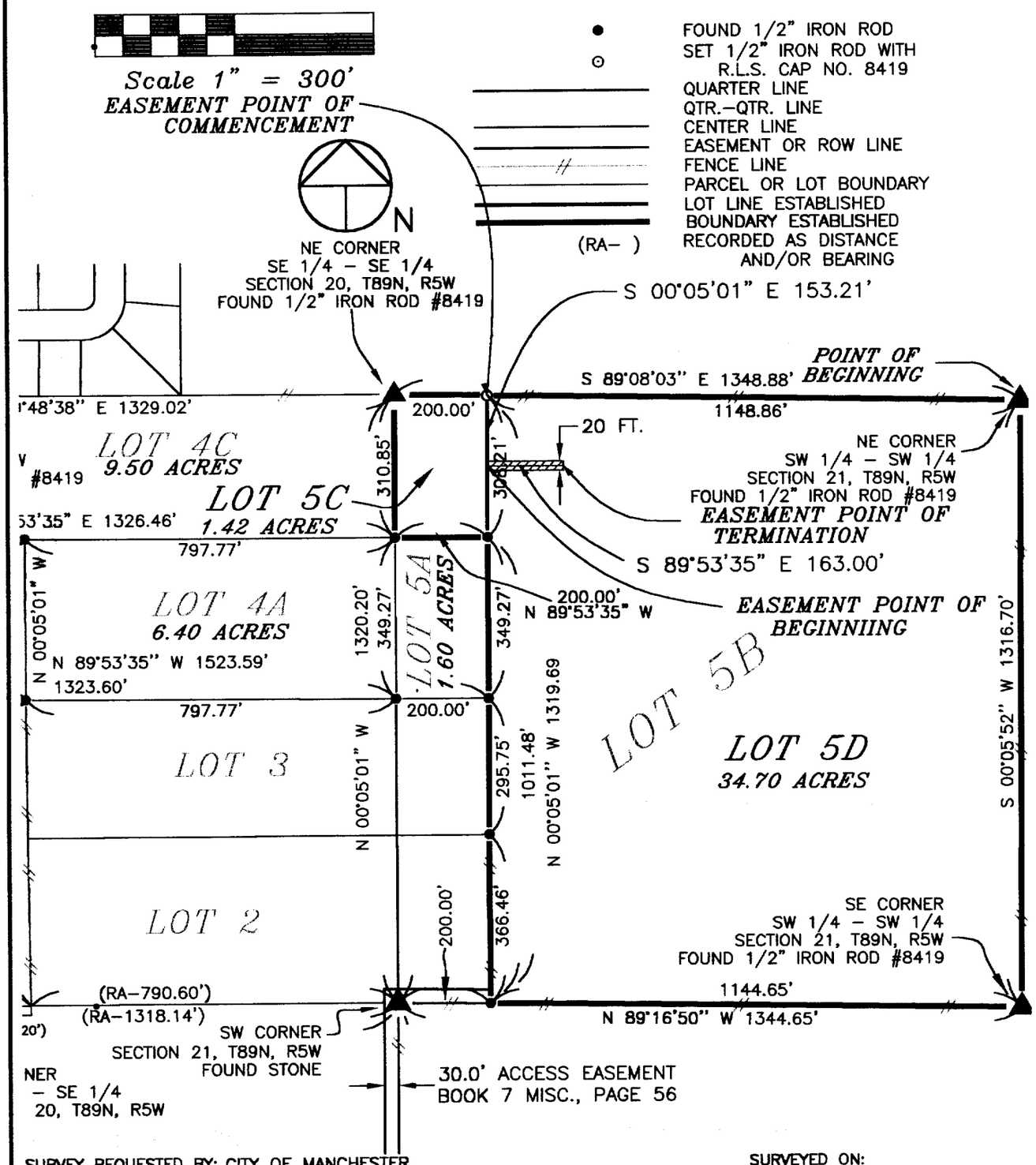
On this 5th day of September, 2001, before me, Julie A. Swanson, a Notary Public in and for the State of Iowa, personally appeared Milt L. Kramer and Karen K. Cole, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Manchester, Iowa; 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 the authority of its City Council, as contained in Resolution Number R-147-2001 adopted by the City Council on the 4th day of September, 2001, and that Milt L. Kramer and Karen K. Cole acknowledge 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.
My Commission Expires

JULIE A. SWANSON
Commission Number 224151
My Comm. Exp. 5-25-04

*PREPARED BY: J DAVID GIBBS; 105 W. MAIN ST., MANCHESTER, IA 52057 563-927-2434*

| *EXHIBIT A SANITARY SEWER EASEMENT* | *SANITARY SEWER EASEMENT – PART OF LOT 5D OF THE SUBDIVISION OF LOT 5B OF THE SUBDIVISION OF LOT 4 AND 5 OF AUDITOR'S PLAT NO. 5–TOOL'S FIRST ADDITION, MANCHESTER, DELAWARE COUNTY, IOWA* |
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SURVEY REQUESTED BY: CITY OF MANCHESTER

SURVEYED ON:

PROPRIETORS: *WALTER F. & GENEVIEVE J. CROSKEY*

PROJECT NO. 01–18

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.

8/24/01

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

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2002

LICENSED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

PAGES OR SHEETS COVERED BY THIS SEAL:

SCALE: 1"=300'

DATE: 8/14/01

DRAWN BY: JDG

CHECKED BY:

FIELD BK:

REVISED

SHEET 3 OF 3

*GIBBS ENGINEERING & SURVEYING*

PROFESSIONAL SERVICES BUILDING
105 WEST MAIN STREET, MANCHESTER, IA 52057