City of Manchester

DELAWARE COUNTY IOWA
FILED
2001 SEP 25 PM 2:21
BOOK 2001 PAGE 3406
DEBORAH FRIEDRICH
DELAWARE CO RECORDER
21.00

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

ROAD AND UTILITY EASEMENTS

This Agreement made of this 17th day of Sept, 2001, by and between Daniel R. Conrad and Jacquelyn A Conrad, 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 road and/or utilities and appurtenances upon, over and along, under and across, the following described real estate situated in Delaware County, Iowa:

THE UTILITY EASEMENT (See attached Exhibit A and B) shall be fifteen (15) feet in width described as follows:

The South fifteen (15) feet of Lot 4C and Lot 5C of the Subdivision of Lot 4 and 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, see attached Exhibit A;

AND

The South fifteen (15) feet and the East fifteen (15) feet of the South 364.44 feet of Parcel H in Section 20, T89N, R5W of the Fifth P.M., City of Manchester, Delaware County, Iowa, as recorded in Book 2000, Page 3439 in the Office of the Delaware County Recorder, see attached Exhibit B.

THE ROAD AND UTILITY EASEMENT (See attached Exhibit A and B) shall be sixty-six (66) feet in width centered along a line described as follows:

COMMENCING at the Southwest Corner of Parcel H, Section Twenty (20), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth Principal Meridian, as recorded in Book 2000, Page 3439 in the Office of the Delaware County Recorder;

THENCE along the Westerly Line of Parcel H, North 01° 21' 03" East, 143.02 feet to the POINT OF BEGINNING;

THENCE South 89° 49' 49" East 287.35 feet;

THENCE along a circular curve, concave northwesterly for an arc length of 156.64 feet, said circular curve having a radius of 100.00 feet, a central angle of 89° 44' 48", a chord length of 141.11 feet and a chord bearing of North 45° 17' 47" East;

THENCE North 00° 25' 23"East, 162.28 feet;

THENCE along a circular curve concave southeasterly for an arc length of 156.53 feet, said circular curve having a radius of 100.00 feet, a central angle of 89° 41' 02", a chord length of 141.03 feet and a chord bearing of North 45° 15' 54" East;

THENCE South 89° 53' 35" East to the Easterly Line of said Parcel H, 71.42 feet;

THENCE South 89° 53' 35" East to the Easterly Line of Lot 5C, 1527.44 feet, the POINT OF TERMINATION.

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 road and/or utilities

together with the right to replace, renew and relocate upon, over and under its right of way, said road and/or utilities, or parts thereof, and any appurtenances thereto and the right it remove any and all of said road and/or utilities 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 road and/or 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

CITY OF MANCHESTER IOWA SEAL

GRANTOR

By Daniel R Conrad
Daniel R. Conrad

Jacquelyn A. Conrad
Jaquelyn A. Conrad

State of Iowa)
)
County of Dubuque) Ss:

On this 17th day of Sept. A.D. 2001, before me a Notary Public in and for said County, personally appeared Daniel R. Conrad, & Jacquelyn A. Conrad, 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.

Notary Public in and for said County

THOMAS L McDERMOTT Commission Number 181991 My Comm. Exp. 4-13-04

STATE OF IOWA)
) SS.
COUNTY OF DELAWARE)

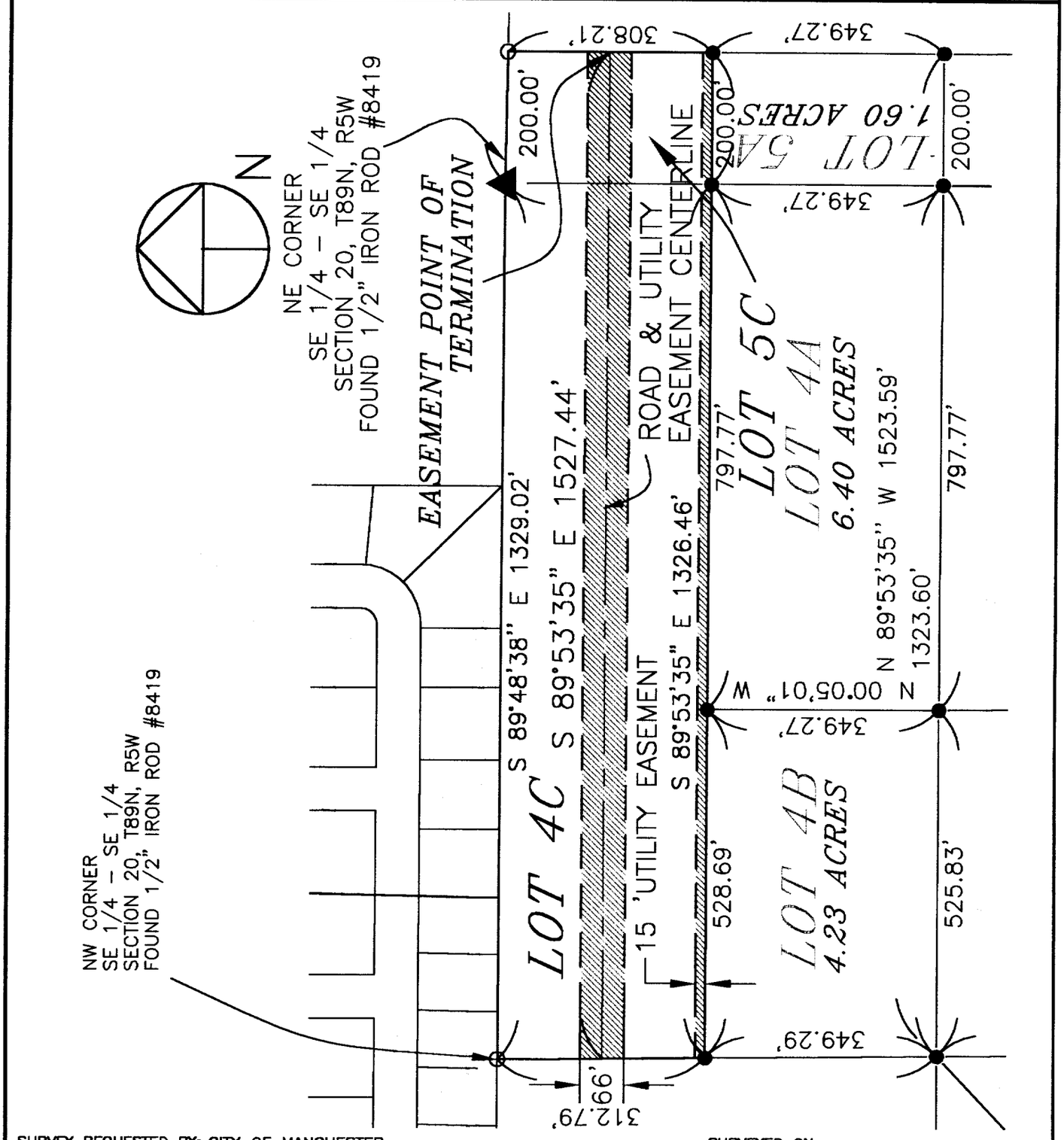
On this 18th day of September, 20__, before me, Julie A. Swanson, a Notary Public in and for the State of Iowa, personally appeared Milt L. Kramer and Karen K. Cole, to me personally known, and, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of 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-166-2001 adopted by the City Council on the 17th 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, Notary Public.
My Commission Expires 8-23-2002

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

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

EXHIBIT A ROAD & UTILITY EASEMENT	*ROAD & UTILITY EASEMENT – PART OF LOT 4C AND 5C 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*



SURVEY REQUESTED BY: CITY OF MANCHESTER

SURVEYED ON:

PROPRIETORS: *DANIEL R. CONRAD*

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, P.E., L.S. LIC. #8419 DATE 9/17/01

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2002

LICENSED LAND SURVEYOR J. DAVID GIBBS 8419 IOWA

PAGES OR SHEETS COVERED BY THIS SEAL: 1

GIBBS ENGINEERING & SURVEYING

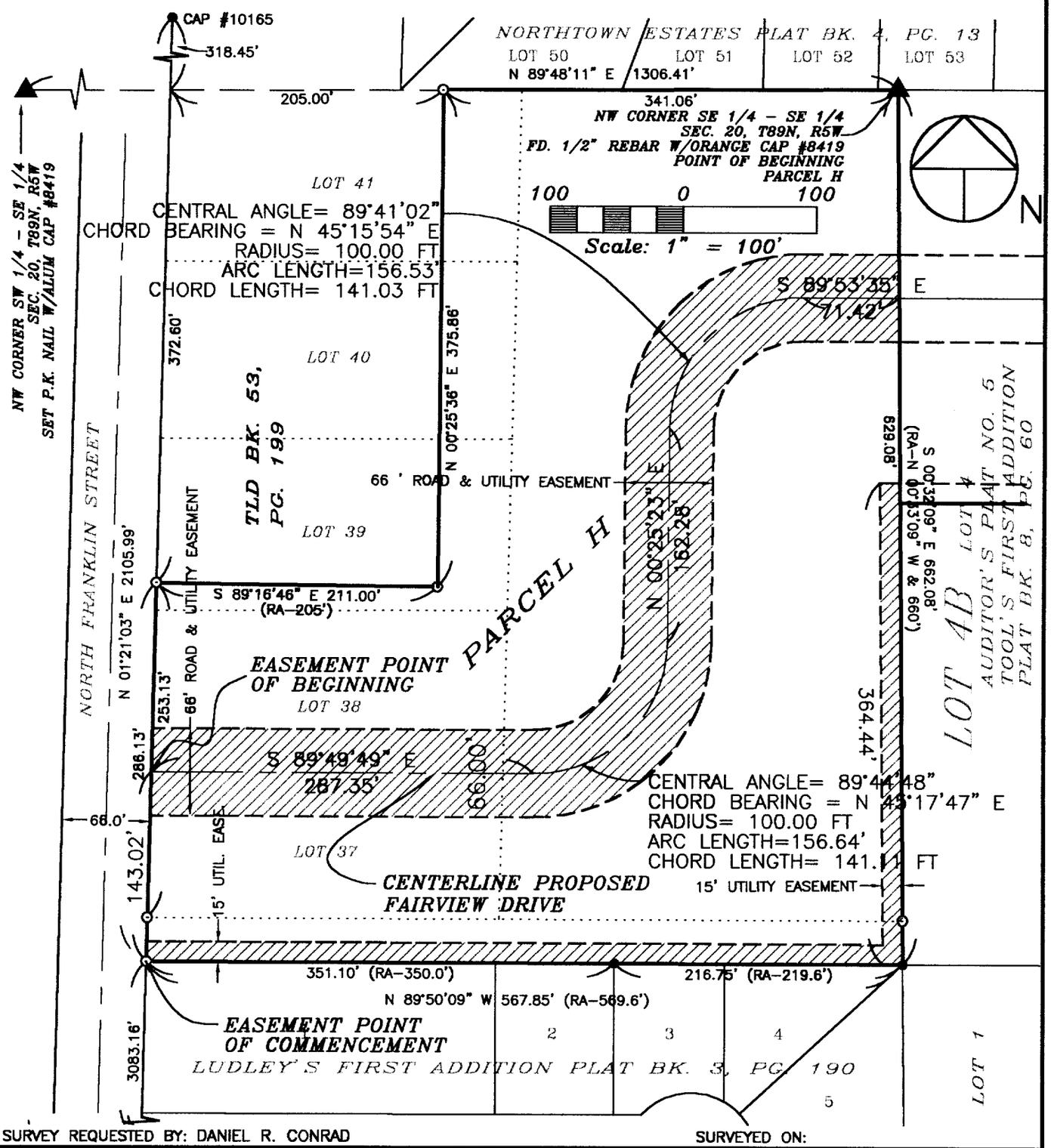
PROFESSIONAL SERVICES BUILDING
105 WEST MAIN STREET, MANCHESTER, IA 52057

PROJECT NO. 01–18
SCALE: 1"=200'
DATE: 9/10/01
DRAWN BY: JDG
CHECKED BY:
FIELD BK:
REVISED
SHEET 1 OF 1

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

EXHIBIT B
ROAD & UTILITY EASEMENT

ROAD & UTILITY EASEMENT – PART OF PARCEL H, IN SECTION 20, T89N, R5W OF THE FIFTH P.M., CITY OF MANCHESTER, DELAWARE COUNTY, IOWA.



SURVEY REQUESTED BY: DANIEL R. CONRAD

SURVEYED ON:

PROPRIETORS: *DANIEL R. CONRAD*

PROJECT NO. 01–18

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LICENSED LAND SURVEYOR
J. DAVID GIBBS
8419
IOWA

J. DAVID GIBBS, P.E., L.S. LIC. #8419 DATE 9/17/01

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2002

PAGES OR SHEETS COVERED BY THIS SEAL: 1

SCALE: 1"=100'

DATE: 9/10/2001

DRAWN BY: JDG

CHECKED BY:

FIELD BK:

REVISED

SHEET 1 OF 1

GIBBS ENGINEERING & SURVEYING
105 WEST MAIN STREET
MANCHESTER, IA 52057