DELAWARE COUNTY IOWA
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DEBORAH L. BYON
DELAWARE CO. RECORDER
6.00

(X)
Preparer: David J. Heiar, 208 E. Main Street, Manchester, Iowa 52057

WATER/SEWER CONNECTION FEE AGREEMENT

The UNDERSIGNED, Richard J. Foust and Dianne K. Foust, hereinafter referred to as "property owner", and the City of Manchester, Iowa hereby covenant and agree as follows:

1. Property owner is the fee titleholder to the following described premises on Stiles Street:

   Lot 5 Tibbot's First Addition
   City of Manchester, Delaware County, Iowa

2. Manchester City Code requires a connection fee when a sanitary sewer and/or a water service line is stubbed into a property.
3. That in 2001 the City of Manchester, Iowa, reconstructed Stiles Street and agreed to extend six service lines for both water and sewer onto the above described property.
4. That based upon the unique circumstances involving the above-described property and its current stage of development, the parties have determined that it is appropriate to delay payment of the connection fees until such time as development occurs on this site.
5. The property owner consents to payment of water/sewer connection fees pursuant to City ordinances and policies existing at the time the fees become effective. Said fees may be greater than the current connection fees.
6. This Agreement shall be recorded in the Office of the Delaware County Recorder at the expense of the City.

Richard J. Foust
Richard J. Foust
Dianne K. Foust
Dianne K. Foust

STATE OF IOWA, COUNTY OF DELAWARE, SS:

On this 17 day of September, 2001, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Richard J. and Dianne K. Foust to me known to be the identical persons named in and who executed the forgoing instrument and acknowledged that he executed the same as his voluntary act and deed.

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

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 2nd day of October, 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, 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 authority of its City Council, as contained in R-172-2001 passed (the Resolution adopted) by the City Council, under roll call No. _____ of the City Council on the 1st day of Oct -, 2001, and that 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
Notary Public in and for the State of Iowa
Julie A. Swanson #224151

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