DELAWARE COUNTY IOWA
FILED
2002 NO - 4 AM 8: 10
BOOK 2002 PAGE 4959
DEBORAH L. FREDERICKSEN
DELAWARE CO. RECORDER
$17.00

William D. Werger 401 East Main Manchester (563) 927-5920
Preparer Information

EASEMENT AGREEMENT

WHEREAS, 12th Street Development LLC is the owner of Lot Three-B (3B) of Subdivision of Lot 3 Of Friedlein Subdivision, City of Manchester, according to plat recorded in Book 2001, Page 1918; and

WHEREAS, Manchester Lodging, LLC is the owner of Lot Two (2) of Friedlein Subdivision, City of Manchester, according to plat recorded in Book 8 Plats, Page 147; and Lot Three-A (3A) of Subdivision of Lot 3 Of Friedlein Subdivision, City of Manchester, according to plat recorded in Book 2001, Page 1918; and

WHEREAS, a water line is located over and across Lot 3B to serve the improvements constructed on Lot 2 and Lot 3A; and

WHEREAS, the parties wish to enter into an easement agreement for the water line where it is currently located and constructed.

NOW, THEREFORE, in consideration of the agreements stated herein and other good and valuable consideration, on this 31st day of October, 2002, it is agreed that:

1. The Easement for water line is hereby granted by 12th Street Development, LLC to Manchester Lodging, LLC as located and constructed and shall be perpetual and binding on all successors and assigns.

2. Manchester Lodging, LLC shall be solely responsible for maintenance and upkeep of said line and shall restore the surface of the parking lot if repairs are necessary to the water line.

12th Street Development, LLC

By: _____
William D. Werger, Manager

Manchester Lodging, LLC

By: _____
William D. Werger, Manager

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 31st day of October, 2002, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared William D. Werger, to me personally known, who being by me duly sworn, did say that he is the Manager of 12th Street Development, LLC, the limited liability company executing the within and foregoing instrument **to which this is attached,** and that William D. Werger as Manager acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the limited liability company, by it and by him voluntarily executed.



Terri L. Philgreen
Notary Public in and for said State

STATE OF IOWA)
) ss:
COUNTY OF DELAWARE)

On this 31st day of October, 2002, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared William D. Werger, to me personally known, who being by me duly sworn, did say that he is the Manager of Manchester Lodging, LLC, the limited liability company executing the within and foregoing instrument **to which this is attached,** and that William D. Werger as Manager acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the limited liability company, by it and by him voluntarily executed.



Terri L. Philgreen
Notary Public in and for said State