City of Edgewood
P.O. Box 397
Edgewood, IA 52042

DELAWARE COUNTY IOWA
FILED
2003 JA 15 PM 4:09
BOOK 2003 PAGE 846
DEBORAH L. FENTON
DELAWARE CO. RECORDER
16.00

This instrument was prepared by Attorney William G. Blum, 300 Main Street, Suite 330, Dubuque, IA 52001, (563) 557-1310.

DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar ($1.00) and other good and valuable consideration paid to **JOSEPH M. FANNON,** hereinafter referred to as **GRANTOR,** and the **CITY OF EDGEWOOD, IOWA,** hereinafter referred to as **GRANTEE.**

The Grantor hereby grants, bargains, and assigns a perpetual easement with the right to construct, install, and thereafter use, operate, inspect, maintain, and replace a 30 foot drainage easement as shown on the attached plat.

The Grantor shall not erect any structure over or within the easement area without obtaining the prior written approval of the Edgewood City Council.

The consideration hereinabove recited shall constitute payment in full for any damages to the land of the Grantor, his successors and assigns, by reason of the installation of a drainage system on said property. The Grantee covenants to maintain the easement in good repair so that no unreasonable damage will result from its use to the adjacent land of the Grantor, his successors or assigns.

This grant and other provisions of this easement shall constitute a covenant running with the land for the benefit of the Grantee, its successors or assigns.

IN WITNESS WHEREOF, the Grantor has executed this instrument this 10 day of January, 2003.

Joseph M. Fannon
JOSEPH M. FANNON

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

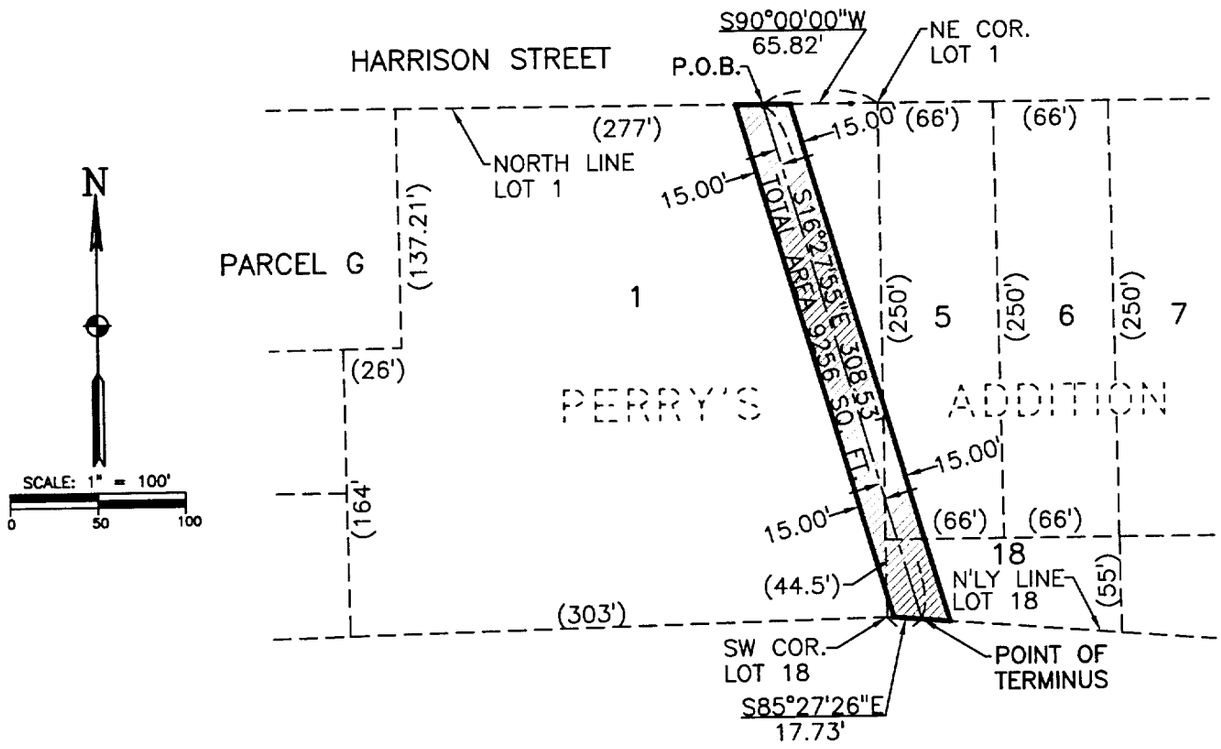
On this 10 day of January, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared Joseph M. Fannon, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Cindy Vorwald
NOTARY PUBLIC, In and For the State of Iowa.

Cindy S. Vorwald
COMMISSION NUMBER 710050
MY COMMISSION EXPIRES
5/18/04

PREPARED BY: BRIAN J. DIEHL LS 13644 WHKS & CO. 1412 6th ST. S.W. MASON CITY, IOWA 50401 -- (641) 423-8271

PLAT OF DRAINAGE EASEMENT ACQUISITION



NOTES

1) THIS EASEMENT IS LOCATED IN THE NE1/4 OF SECTION 2-T90N-R5W OF THE 5TH P.M., CITY OF EDGEWOOD, DELAWARE COUNTY, IOWA.
2) THE SOUTH LINE OF HARRISON STREET WAS ASSUMED TO BEAR S90°00'00"W.
3) TOTAL AREA OF EASEMENT 9256 SQ. FT.
4) DATE OF SURVEY NOVEMBER 25, 2002.

LEGEND

RECORD.....( )

EASEMENT.....

DESCRIPTION OF DRAINAGE EASEMENT

A 30.00 foot wide strip of land lying between the North line of Lot 1 and the Southerly line of Lot 18, both in Perry's Addition, Edgewood, Iowa described as follows: Commencing at the Northeast Corner of said Lot 1; thence S 90° 00' 00" W, 65.82 feet along the North line of said Lot 1 to the Point of Beginning; thence S 16° 27' 55" E, 308.53 feet to a point on said Southerly line, said point being 17.73 feet Easterly, measured along said Southerly line, from the Southwest Corner of said Lot 18, said point also being the Point of Terminals, said Drainage Easement containing 9256 square feet.

DRAINAGE EASEMENT
REQUESTED BY:
CITY OF EDGEWOOD
203 W. UNION ST.
EDGEWOOD, IOWA 52042
OWNER:
JOSEPH M. FANNON

LICENSED LAND SURVEYOR
BRIAN J. DIEHL
13644
IOWA

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.

Brian J. Diehl — December 20, 2002
Date

License number 13644.

My license renewal date is December 31, 2003

Sheets covered by this seal: 1

WHKS & CO.
ENGINEERS — PLANNERS — LAND SURVEYORS
1412 - 6th STREET S.W. P.O. BOX 1467 MASON CITY, IOWA 50402-1467
641-423-8271

JOB NO. 6140