DELAWARE COUNTY IOWA
FILED
2004 AUG 12 AM 9:18
BOOK 2004 PAGE 3060
DEBORAH L. FEYTON
DELAWARE CO RECORDER
12.00

Preparer Information: Kimberly S. Lange. 108 East Union Street, Edgewood, (563) 928-7099 P.O. Box 10 5A042-D01D

# AGREEMENT

City of Edgewood, Iowa

To

Scot Christiansen and Jane Christiansen

KNOW ALL MEN BY THESE PRESENTS:

That in Book 8, Misc., Page 139, and Filed of record November 6, 1998, there was a Public Utility Easement granted from Gerald L. Perrinjaquet and Marjorie M. Perrinjaquet, GRANTORS, to the City of Edgewood, GRANTEE. GRANTORS granted and conveyed unto the GRANTEE, a perpetual easement with the right to erect, construct, install, and lay, and thereafter use, operate, inspect, repair, maintain, replace, and remove public utilities including a sanitary sewer and water lines over, across, and through the land of the GRANTORS situated in Delaware County, State of Iowa, said land being described as follows:

> Lot 8 of the Subdivision of the NE1/4 of the NE1/4 of Section 3, Township 90 North, Range 5 West, of the 5th P.M., in the City of Edgewood, Delaware County, Iowa,

together with the right of ingress and egress over the adjacent lands of the GRANTORS, their successors and assigns, for the purposes of this easement.

The easement granted was 30 feet in width, with a fifty feet temporary construction easement to be used for any initial construction.

That Scot Christiansen and Jane Christiansen have purchased the above listed parcel of land from Gerald L. Perrinjaquet and Marjorie M. Perrinjaquet and are constructing a medical clinic on the said premises. That per Daniel Helle, the City Superintendent, the said medical clinic currently abuts the 30 foot easement line granted to the City of Edgewood, and it is not believed that the Medical Clinic encroaches onto the Easement to the City of Edgewood. The City of Edgewood, by the City Council approves of the encroachment onto the Easement, should it be discovered that the Medical Clinic does

encroach onto the Easement by a couple of feet. The City of Edgewood, by the City Council also approves the release of the temporary construction easement of fifty feet as the initial construction has been completed and the temporary construction easement is no longer needed.

Signed: Neil Sherman Dated: 8/9/04
Neil Sherman, Mayor of Edgewood

CITY OF EDGEWOOD CORPORATE SEAL

STATE OF IOWA,
ss:
CLAYTON COUNTY,

On this 9 day of August, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Neil Sherman to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Cindy Vorwald
Notary Public

Cindy S. Vorwald
COMMISSION NUMBER 710060
MY COMMISSION EXPIRES
May 18, 2007

Signed: Scot Christiansen Dated: 8/11/04
Scot Christiansen

Signed: Jane Christiansen Dated: 8/11/04
Jane Christiamsen

STATE OF IOWA,
ss:
CLAYTON COUNTY,

On this 11th day of August, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Scot Christiansen and Jane Christiansen to me known to be the indentical persons named in and who executed the foregoing instrument and acknowledged that they executed the same as their voluntary act and deed.

Kimberly S. Lange
Notary Public

KIMBERLY S. LANGE
COMMISSION NO. 728765
MY COMMISSION EXPIRES
6-2-2007