DELAWARE COUNTY IOWA
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BOOK 2004 PAGE 3379
DEBORAH L. HEYTON
DELAWARE CO RECORDER
10.00

Preparer Information: Kimberly S. Lange. 108 East Union Street, Edgewood, (563) 928-7099

AGREEMENT

City of Edgewood, Iowa

To

Neil E. Sherman and Jane C. Sherman

KNOW ALL MEN BY THESE PRESENTS:

That Neil E. Sherman and Jane C. Sherman, husband and wife, hold marketable title in the following described real estate by virtue of a warranty deed dated May 11, 1995, and filed of record May 19, 1995, in Book 54 at Page 205:

Lots Nine (9) and Ten (10), except the South Thirteen (13) feet thereof, of Compton's Addition to Edgewood, Iowa, according to plat recorded in Book 2 Plats, Page 97.

That the Town of Edgewood, holds title in the following described real estate by virtue of a warranty deed dated May 4, 1962, and filed of record June 29, 1962:

Commencing at the Southeast corner of Lot 3 of Compton's Addition to Edgewood, running thence North along the East line of said Lot a distance of 13 feet, thence West and parallel with the South line of said addition a distance of 660 feet more or less, to the West line of Lot 10 of said addition, thence South a distance of 13 feet to the Southwest corner of said Lot 10, thence East along the South line of said addition a distance of 660 feet more or less to point of beginning.

That the South Thirteen (13) feet of Lots Nine (9) and Ten (10) of Compton's Addition to Edgewood, owned by the Town of Edgewood, is more commonly referred to as West Harrison Street. That Neil E. Sherman and Jane C. Sherman would like to pour a cement or asphalt driveway for their house approximately 25 feet by 75 feet that would encroach onto the South Thirteen (13) feet of Lots (9) and Ten (10) of Compton's Addition to Edgewood owned by the Town of Edgewood.

That the Town of Edgewood, by the City Council approves of the encroachment of a driveway constructed by Neil E. Sherman and Jane C. Sherman, onto the South Thirteen (13) feet of Lots (9) and Ten (10) of Compton's Addition to Edgewood. That Neil E. Sherman and Jane C. Sherman agree to be responsible for any upkeep required with the driveway. That should the Town of Edgewood need to dig up any part of Harrison Street in terms of the driveway built by Neil & Jane Sherman, for any reason, that Neil E. Sherman and Jane C. Sherman agree to be responsible for any costs associated with their driveway.

CITY OF EDGEWOOD SEAL IOWA

Signed: Linda Rowell Dated: 8-21-04
Linda Rowell, Mayor Pro Temp of Edgewood

STATE OF IOWA,

ss:

CLAYTON COUNTY,

On this 21 day of August, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Rowell 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 710090
MY COMMISSION EXPIRES
May 18, 2007

Signed: Neil Sherman Dated: 8-28-04
Neil E. Sherman

Signed: Jane C. Sherman Dated: 8-28-04
Jane C. Sherman

STATE OF IOWA,

ss:

CLAYTON COUNTY,

On this 28th day of August, 2004, before me, the undersigned, a Notary Public in and for said State, personally appeared Neil E. Sherman and Jane C. 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.

Marcia L Kirby
Notary Public

MARCIA L. KIRBY
Commission Number 117283
My Commission Expires
8-19-06