Book 2005 Page 1657
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DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

City of Edgewood
P.O. Box 396
Edgewood, IA 52042-0396

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

PUBLIC UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of Five Dollars ($5.00) per lineal foot for the permanent easement paid to DEAN F. HELMRICHS and MARY ANN HELMRICHS, herein referred to as Grantors, and the CITY OF EDGEWOOD, IOWA, hereinafter referred to as Grantee.

The Grantors hereby grant, bargain, and assign a perpetual easement with the right to construct, install, and thereafter use, operate, inspect, maintain, and replace a public utility easement located on a part of Lot 2 of Phelps' Addition to the City of Edgewood, Delaware County, Iowa, as shown on the attached easement Plat.

Grantors 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 Grantors, their successors and assigns, by reason of the installation of a public utility 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 Grantors, their 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 Grantors have executed this instrument this 20 day of April, 2005.

Dean Helmrichs
DEAN F. HELMRICHS

Mary Ann Helmrichs
MARY ANN HELMRICHS

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

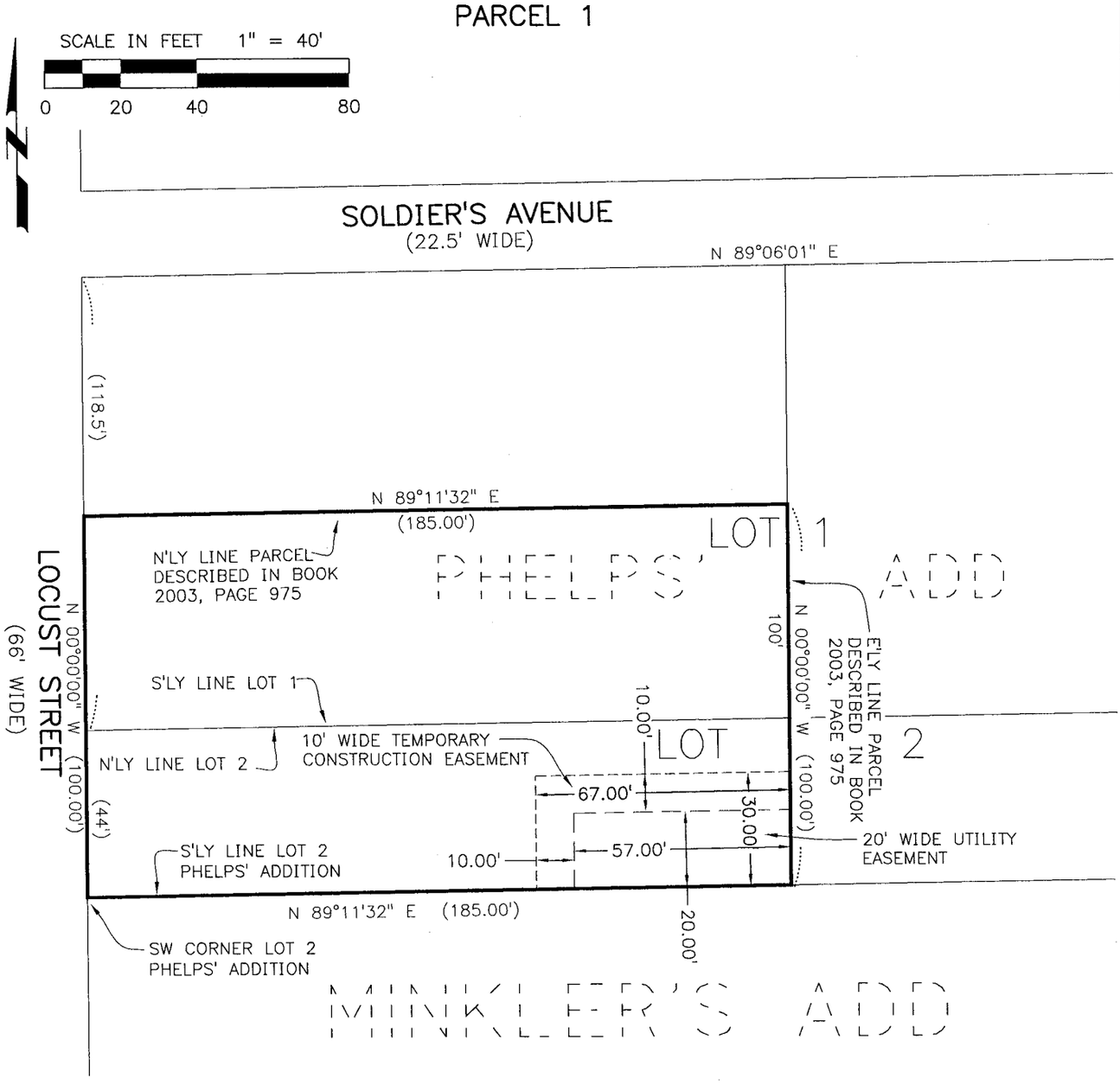
On this 20 day of April, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared DEAN F. HELMRICHS and MARY ANN HELMRICHS, to me known to be the persons named in and who executed the foregoing instrument, and acknowledged that they executed the same as their voluntary act and deed.

Cindy Vorwald
Notary Public, in and for said State.

Cindy S. Vorwald
COMMISSION NUMBER 710050
MY COMMISSION EXPIRES
May 18, 2006

PREPARED BY: LAWRENCE A. BOYER L.S. 9761 WHKS & CO., 470 CENTRAL AVE., DUBUQUE, IOWA 52001 (563)582-5481

EXHIBIT PLAT
UTILITY EASEMENT
IN LOT 2 OF PHELPS' ADDITION TO THE CITY OF EDGEWOOD, DELAWARE COUNTY, IOWA
PARCEL 1



LEGEND

UTILITY EASEMENT LINE — — — — —
TEMPORARY EASEMENT LINE ---------
RECORD MEASUREMENT ( )

PERMANENT EASEMENT AREA: 1140 SQUARE FEET
TEMPORARY EASEMENT AREA: 870 SQUARE FEET

PARCEL 1
EASEMENT REQUESTED BY:
City of Edgewood

PROPRIETOR:
Dean F. Helmrichs and Mary Ann Helmrichs

WHKS & CO.
ENGINEERS — PLANNERS — LAND SURVEYORS
470 CENTRAL AVENUE 563-582-5481 DUBUQUE, IOWA 52001-7024

LICENSED LAND SURVEYOR
LAWRENCE A. BOYER
9761
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.

Lawrence A. Boyer APRIL 1, 2005
Lawrence A. Boyer Date

License Number 9761
My license renewal date is December 31, 2006.

Sheets covered by this seal:
Sheet(s) 1 and 2 of 2

PROJECT: 6526

DESCRIPTION FOR TEMPORARY CONSTRUCTION EASEMENT

The South 30.00 feet of the East 67.00 feet of that part of Lot Two (2) of Phelps' Addition to the City of Edgewood, Delaware County, Iowa described as follows:

That part of Lots One (1) and Two (2) of Phelp's Addition to Edgewood, Iowa according to plat recorded in Book 1 Plats, Page 91 &c. described as commencing at the Southwest corner of said Lot Two (2), thence North one hundred (100) feet on the lot line, thence East one hundred eighty five (185) feet, thence South one hundred (100) feet, thence West on the lot line one hundred eighty five (185) feet to the place of beginning.

DESCRIPTION FOR PERMANENT UTILITY EASEMENT

The South 20.00 feet of the East 57.00 feet of that part of Lot Two (2) of Phelps' Addition to the City of Edgewood, Delaware County, Iowa described as follows:

That part of Lots One (1) and Two (2) of Phelp's Addition to Edgewood, Iowa according to plat recorded in Book 1 Plats, Page 91 &c. described as commencing at the Southwest corner of said Lot Two (2), thence North one hundred (100) feet on the lot line, thence East one hundred eighty five (185) feet, thence South one hundred (100) feet, thence West on the lot line one hundred eighty five (185) feet to the place of beginning.

PARCEL 1
PROPRIETOR:
Dean F. Helmrichs and Mary Ann Helmrichs

WHKS & CO.
ENGINEERS — PLANNERS — LAND SURVEYORS
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