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

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DEBORAH L. PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

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

AGREEMENT

City of Edgewood, Iowa

To

Edgewood Community Childcare & Learning Center (Kinderwood)

KNOW ALL MEN BY THESE PRESENTS:

That Edgewood Community Childcare & Learning Center, an Iowa Non-profit Corporation, holds marketable title in the following described real estate by virtue of a warranty deed filed of record in Book 25 at Page 337:

That part of Lot Six (6) of Peter's Addition to Edgewood, Iowa, according to plat recorded in Book 1 Plats, Page 1371-2, lying Northerly of the Northerly line of Lincoln Street.

That the Town of Edgewood, holds an Easement in the following described real estate by virtue of an Easement Agreement filed of record May 11, 1984:

The South 141 feet of Lot Six (6), Peter's Addition, Edgewood, Iowa. The Town of Edgewood is granted an easement twenty feet in width for the purpose of constructing, reconstructing and maintaining the sanitary sewer and manholes upon the real property.

That Edgewood Community Childcare and Learning Center would like to pour cement and add onto their playground space that would encroach onto the 20 foot easement granted to the Town of Edgewood.

That the Town of Edgewood, by the City Council approves of the encroachment of the cement work for the playground constructed by Edgewood Community Childcare and Learning Center, onto the Easement granted to the Town of Edgewood. That Edgewood Childcare and Learning Center agrees to be responsible for any upkeep required with the playground. That should the Town of Edgewood need to dig up any part of the sewer easement in terms of the playground built by Edgewood Childcare and Learning Center,

for any reason, that Edgewood Childcare and Learning Center agrees to be responsible for any costs associated with their playground.

Signed: Kristin Bockenstedt Dated: 6/16/05
Kristin Bockenstedt, President
Edgewood Childcare and Learning Center

CITY OF EDGEWOOD

Signed: Neil Sherman Dated: 6.15.05
Neil Sherman, Mayor of Edgewood

ATTEST:

Signed: Cindy Vorwald Dated: 8.15.05
Cindy Vorwald, City Clerk

STATE OF IOWA,

ss:

CLAYTON COUNTY,

On this 15 day of August, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Neil Sherman and Cindy Vorwald, to me personally known, who, being by be duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Edgewood, Iowa; a municipal corporation; that the seal affixed to the foregoing instrument is the corporate seal of the corporation, and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, under roll call of the City Council on the 8 day of August, 2005; and Neil Sherman and Cindy Vorwald acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

Elise Bergan
Notary Public

NOTARIAL SEAL IOWA
Elise Bergan
COMMISSION NUMBER 711108
My Commission Expires
7-2-07

CITY OF EDGEWOOD, IOWA CORPORATE SEAL

STATE OF IOWA,

ss:

CLAYTON COUNTY,

On this 16 day of July, 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Kristin Bockenstedt, to me personally known, who being by me duly sworn, did say that the person is one of the officers of Edgewood Community Childcare and Learning Center, an Iowa Non-Profit Corporation, and that the instrument was signed on behalf of the corporation by authority of the board of directors and the officer acknowledged the execution of the instrument to be the voluntary act and deed of the corporation by it and by the officer voluntarily executed.

Elise Bergan

Notary Public

Elise Bergan
COMMISSION NUMBER 711108
My Commission Expires
7-2-07