CITY OF MANCHESTER

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DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

This instrument was prepared Ryan M .Wicks, P.E., TeKippe Engineering, P.C., PO Box 357, Manchester, IA 52057, Phone (563) 927-2060.

WALKWAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration paid to Roger M. and Dalene M. Simon, hereinafter referred to as Grantor, by the City of Manchester hereinafter referred to as Grantee, the receipt of which is hereby acknowledged, the Grantor does hereby grant, bargain, sell, transfer and convey unto the Grantee, its successors and assigns, a perpetual easement - said easement being a fifteen-foot wide walkway easement. The Grantee shall have the right to construct, operate, inspect, repair, maintain and replace walkway over, across and through the land of the Grantor, situated in the City of Manchester, Delaware County, Iowa said land being as follows:

Walkway Easement, in Empire Estates Subdivision, Section 33, Township 89 North, Range 5 West of the 5th P.M., City of Manchester, Delaware County, Iowa. See attached plat and description.

The consideration recited above shall constitute payment in full for any damage to the land of the Grantor, the estate's successors assigns and heirs, by reason of the installation, operation, and maintenance of the structures or improvements herein referred to. 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, the successors and assigns. The provisions of this easement shall constitute a covenant running with the land for the benefit of the Grantee, its successors and assigns.

An additional Temporary Construction Easement, as shown on the attached easement plat, is granted during the initial construction period of the improvements. Grantee's use of the subject property shall be subject to a duty to return the property to a condition reasonably similar to its condition prior to use by the Grantee.

Dated this 6th day of May 2005.

GRANTOR ACKNOWLEDGEMENT

Roger M. Simon

Darlene M. Simon

State of Iowa)
) SS.
County of Delaware)

On this 6th day of May, 2005, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Roger M. and Darlene M. Simon, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the instrument as their voluntary act and deed.

Laura K. Thomas
Notary Public in and for the State of Iowa

LAURA K. THOMAS
Commission Number 716135
My Commission Expires
5-26-05

GRANTEE ACKNOWLEDGEMENT

CITY OF MANCHESTER

By: Milt L. Kramer
Milt L. Kramer, Mayor

By: _____
Erin Rempe, City Clerk

(MUNICIPAL SEAL)

State of Iowa)
) SS.
County of Delaware)

On this 13 day of June, 2005, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Milt L. Kramer and Erin Rempe, to me personally known, did say that they are the Mayor and City Clerk, respectively, of the City of Manchester, 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, as contained in Resolution No. R061305 passed by Resolution of the City Council under Roll Call No. — of the City Council on the 13 day of June, 2005, and Milt L. Kramer and Erin Rempe 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.

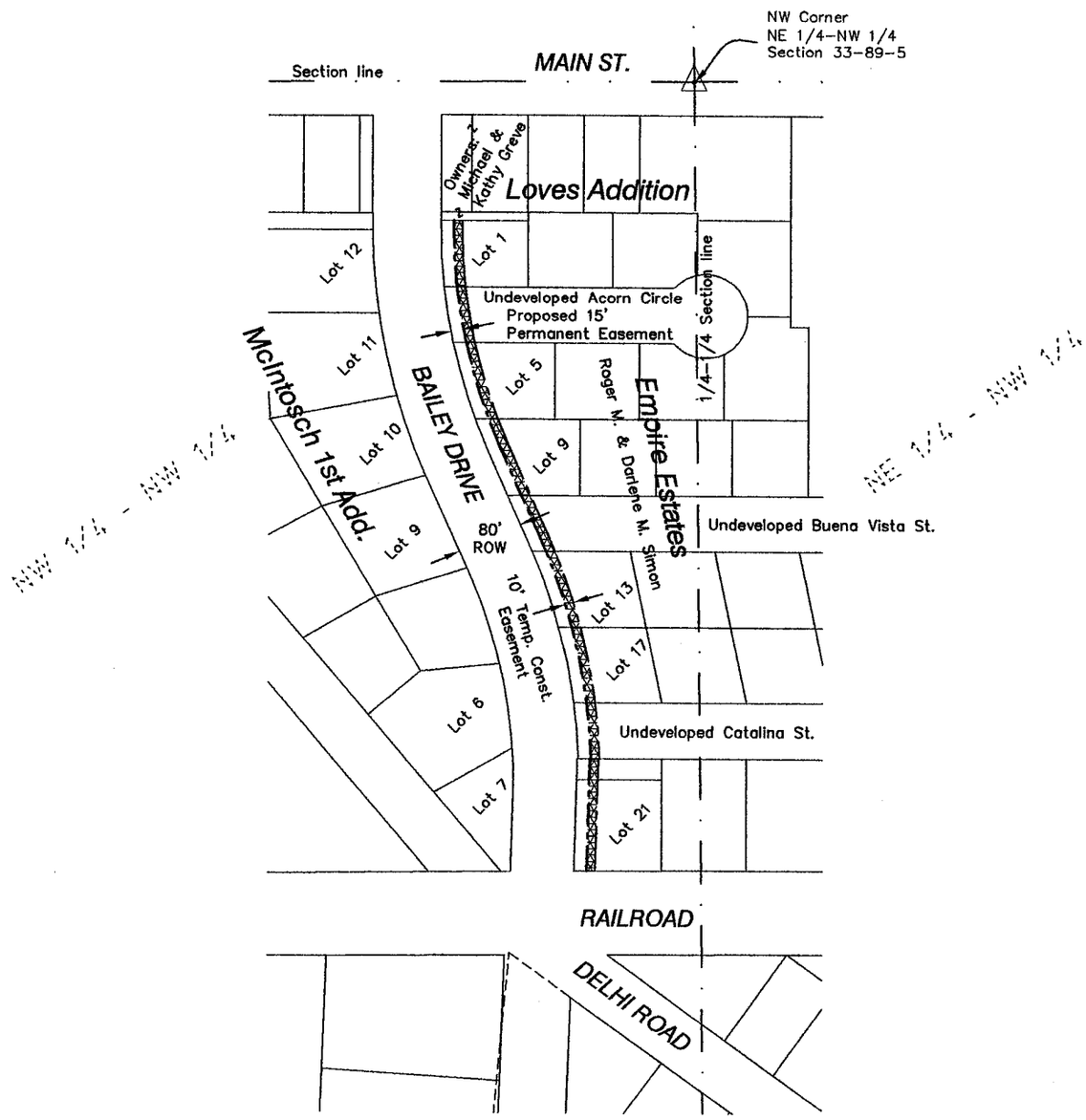
Laura K. Thomas
Notary Public in and for the State of Iowa

NOTARIAL SEAL IOWA
LAURA K. THOMAS
Commission Number 718135
My Commission Expires
8-26-05

TeKIPPE ENGINEERING, P.C., 1919 – 210th Street P.O. Box 357, Manchester, Iowa 52057 Ph. 563–927–2060

Easement Plat

Walkway Easement in Section 33 – T89N – R5W, City of Manchester, Delaware County, Iowa



N

50' 0 50' 100' 200'

1 inch = 200 ft.

LEGEND

Section Corner.....
Proposed Permanent Easement.. - - - - - -
Construction Easement..... — — — — —
Construction Easement Area.....

PROFESSIONAL LAND SURVEYOR
PAUL R. HEROLD
15525
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.

Paul R. Herold 7-6-05

Paul R. Herold Date:

License number 15525

My license renewal date is December 31, 2006.

Sheets covered by this seal: Sheet P1

TeKIPPE ENGINEERING, P.C.

128 South Vine Street
West Union, IA 52175
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PH. (563) 422–5131
FAX (563) 422–5884

1919 210th Street
P.O. Box 357
Manchester, IA 52057
PH. (563) 927–2060
FAX (563) 927–3603

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Project No. 04611.MS Sheet P1

TeKIPPE ENGINEERING, P.C., 128 South Vine Street, West Union, Iowa 52175 Phone #563/422-5131

Project No. 04611.LS



I hereby certify that this land survey 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.

Paul R. Herold — Paul R. Herold

7-6-05 — Date

License Number 15525
My license renewal date is December 31, 2006.
Pages covered by this seal: ED-1

State of Iowa)
ss.
County of Delaware)

Subscribed and sworn to before me by Paul R. Herold this 6th day of July, 2005.

RYAN M. WICKS
Iowa Notarial Seal
Commission Number: 723753
My Commission Expires: 08-04-2006

Ryan M Wicks
Notary Public

WALKWAY EASEMENT

Easement Description:

A strip of land for Walkway Easement purposes being the **West 15.00 Feet** of Empire Estates Subdivision, Section 33, Township 89 North, Range 5 West of the 5th P.M., City of Manchester, Delaware County, Iowa, subject to any other easements of record.
(See plat attached to this original easement description.)