City of Edgewood
PO Box 397
Edgewood, IA 52042

Book 2006 Page 425
Document 2006 425 Type 03 006 Pages 3
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Rec Amt $27.00

DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

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

PUBLIC UTILITY AND SIDEWALK EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of One Dollar ($1.00) for the permanent easement paid to EDGEWOOD CONVALESCENT HOME, INC., herein referred to as Grantor, and the CITY OF EDGEWOOD, IOWA, herein referred to as Grantee.

The Grantor hereby grants, bargains, and assigns a perpetual easement with the right to construct, install, and thereafter use, operate, inspect, maintain, and replace a public utility and sidewalk easement located on a part of the West 45 feet of the South 275 feet of Lot 4 in Perrinjaquet's Addition to the City of Edgewood, Delaware County, Iowa, as shown on the attached easement Plat.

Grantor 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 Grantor, its successors and assigns, by reason of the installation of public utilities and sidewalk 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 Grantor, its 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 Grantor has executed this instrument this 10 day of January, 2006.

EDGEWOOD CONVALESCENT HOME, INC.

By: Wesley J Muller V.P.

By: _____

THE IOWA STATE BAR ASSOCIATION Official Form No. 182	William G. Blum ISBA # 426	FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

STATE OF Iowa, COUNTY OF Delaware, ss:

On this 10 day of January, 2006, before me, the undersigned, a Notary Public in and for the said State, personally appeared Merten Miller and _____, to me personally known, who being by me duly sworn, did say that they are the Vice-President and _____, respectively, of the corporation executing the within and foregoing instrument **to which this is attached,** that (no seal has been procured by the) ~~(the seal affixed thereto is the seal of the)~~ corporation; that the instrument was signed ~~**(and sealed)**~~ on behalf of the corporation by authority of its Board of Directors; and that Merten Miller and _____ as officers acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Cindy Vorwald

_____, Notary Public in and for said State.

Notarial Seal Iowa
Cindy S. Vorwald
COMMISSION NUMBER 710050
MY COMMISSION EXPIRES
May 18 2007

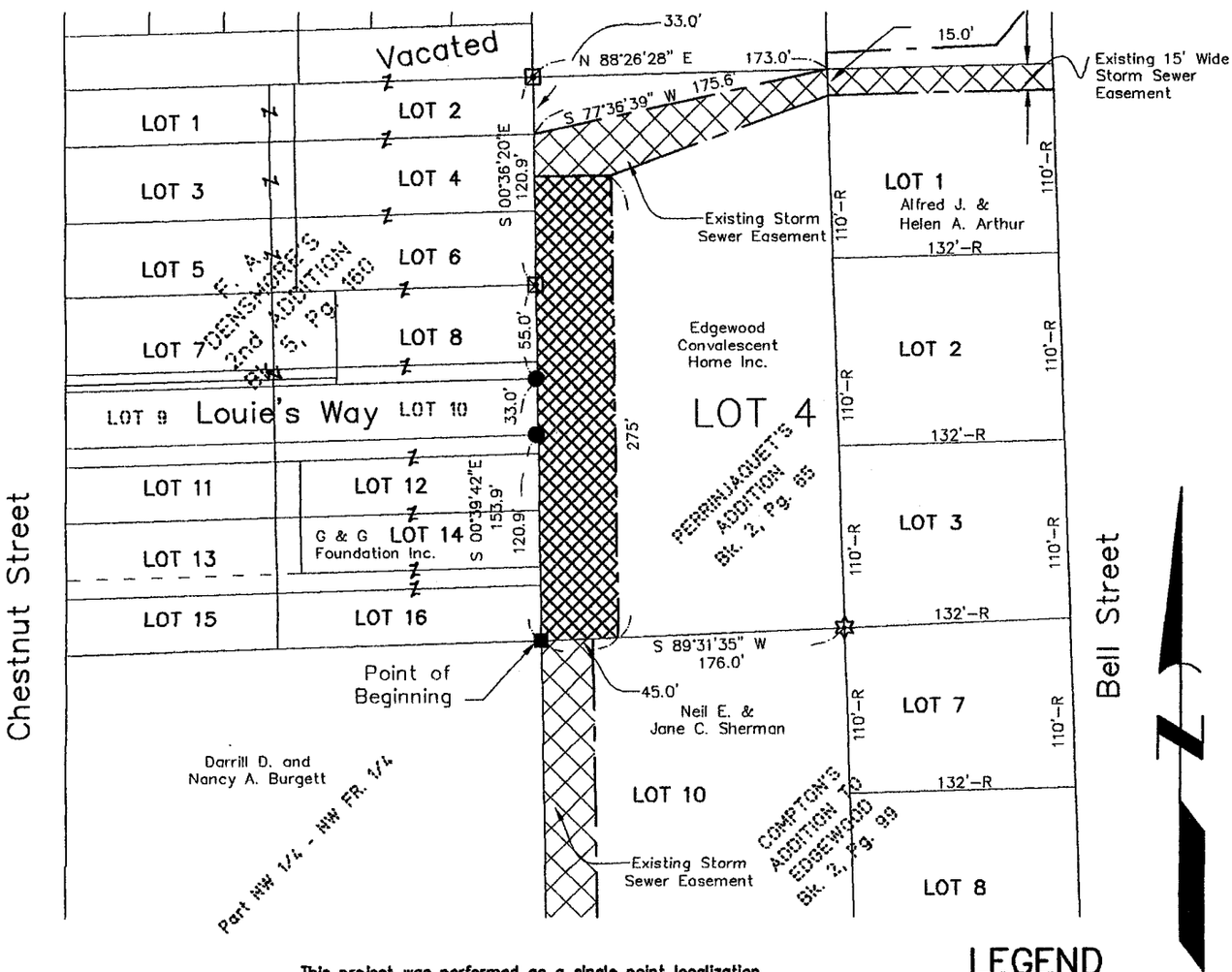
(Section 558.39, Code of Iowa)

Acknowledgment: For use in the case of corporations

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

Easement Plat

SANITARY SEWER, WATERMAIN, and SIDEWALK EASEMENT
West 45' of the South 275' of Lot 4 in Perrinjaquet's Addition to the City of Edgewood, Delaware County, Iowa



Proprietors:
Edgewood Convalescent Home, Inc.

Requested by:
City of Edgewood

This project was performed as a single point localization on Delaware County GPS Monument Number 4 using IA State Plane Coordinates and then rotated to the record bearing of Delaware County GPS Monuments Number 4 to 13.

Note:
15' Temporary Construction Easement on East and West Side of Permanent Easement Area

50' 0 50' 100' 200'

1 inch = 100 ft.

Easement was Drafted on November 15, 2005.

LEGEND

- Easement Area
- Fd. 5/8" ø Rebar w/YPC PLS 8295
- Fd. T-Bar w/ PLS 9761
- Fd. 1/2" ø Rebar w/OPC PLS 10165
- Fd. 1/2"ø Rebar
- Survey Boundary
- Orange Plastic Cap....OPC
- Red Plastic Cap....RPC
- Yellow Plastic Cap....YPC

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 11-22-05

Paul R. Herold Date:
License number **15525**
My license renewal date is **December 31, 2006.**
Sheets covered by this seal: **P1**

TeKIPPE ENGINEERING, P.C.

128 South Vine Street
West Union, IA 52175
www.tekippe.com
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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Field Book Edgewood No. 1 Pages 1,2

Project No. 05659.LS Sheet P1