Book 2009 Page 2358
Document 2009 2358 Type 03 006 Pages 4
Date 6/12/2009 Time 2:26:43PM
Rec Amt $22.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

This instrument was prepared by Nathan P. Kass, P.E., Project Manager, TeKippe Engineering, P.C. 1919 210th Street, P.O. Box 357, Manchester, IA 52057, 563-927-2060.

RETURN TO: CITY OF MANCHESTER, 208 E. MAIN ST., MANCHESTER, IA 52057

# PUBLIC SANITARY SEWER 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 Delaware County Fair Society, 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 30-foot wide sanitary sewer easement. The Grantee shall have the right to construct, operate, inspect, repair, maintain and replace sanitary sewer over, across and through the land of the Grantor, situated in the City of Manchester, Delaware County, Iowa, said land being as follows:

> All that part of the North 1/2 of the Northeast 1/4 of Section 29, Township 89 North, Range 5 West, Delaware County, Iowa (as shown on a deed recorded July 14, 1961, recorded in Deed Book 82, Page 162, on file in the Delaware County Record's Office, Manchester, Iowa).

And said easement being as follows:

> The South 30' of the East 270' of all that part of the North 1/2 of the Northeast 1/4 of Section 29, Township 89 North, Range 5 West, Delaware County, Iowa (as shown on a deed recorded July 14, 1961, recorded in Deed Book 82, Page 162, on file in the Delaware County Record's Office, Manchester, Iowa). See "Exhibit A" attached (easement plat and description recorded in Book 2009, Page 1765 in the Delaware County Recorder's Office, Manchester, Iowa).

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 7th day of May 2009.

DELAWARE COUNTY FAIR SOCIETY or

GRANTOR ACKNOWLEDGEMENT

Allan Boge, President
GRANTOR

Jeannine Domeyer, Manager
GRANTOR

CORPORATE ACKNOWLEDGMENT

State of Iowa )
) SS.
County of Delaware )

On this 7th day of May, 2009, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Al Boge and Jeannine Domeyer, to me known, who, being by me duly sworn, did say that they are the President, and Manager, respectively, of the corporation executing the foregoing instrument; that (no seal has been procured by) or ~~(the seal affixed thereto is the seal of)~~ the corporation; that said instrument was signed ~~(and sealed)~~ on behalf of the corporation by authority of this Board of Directors; that Al Boge and Jeannine Domeyer acknowledged the execution of the instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

NOTARIAL SEAL IOWA CHRISTINA RICHTER Commission Number 723809 My Commission Expires 8-5-09

Christina Richter
Notary Public in and for the State of Iowa

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 12 day of June, 2009, 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. 85-2009 passed by Resolution of the City Council under Roll Call No. ____ of the City Council on the 11 day of May, 2009, 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.

Notary Public in and for the State of Iowa

LAURA L. THOMAS Commission Number [illegible] My Commission Expires 8-10-11

FILED
MAY - 1 2009
CLAUDIA J. CAHALAN
DELAWARE COUNTY ASSESSOR

FILED
MAY 1 2009
CARLA K. BECKER
DELAWARE COUNTY AUDITOR

Book 2009 Page 1765
Document 2009 1765 Type 06 002 Pages 2
Date 5/01/2009 Time 8:15:39AM
Rec Amt $12.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Exhibit A

EW

Prepared by: TeKIPPE ENGINEERING, P.C., 1919 - 210th Street, P.O. Box 357, Manchester, Iowa 52057 Ph. (563)927-2060

Easement Plat

# Sanitary Sewer Easement in Part of the North 1/2 of the Northeast 1/4, Section 29 - T89N - R5W City of Manchester, Delaware County, Iowa

100' 0' 100' 200' 400'

1 inch = 200 ft.

LEGEND

Section Corner.....
Fd. 1/2" Rebar w/OPC PLS 8419.....
Section Line.....
Permanent Easement.....
Temporary Easement.....
Permanent Easement Area...
Temporary Easement Area...
Recorded as..... R
Orange Plastic Cap..... OPC

SE 1/4-SE 1/4 20-89-5

Proprietors:
Delware County Fair Society
Requested by:
City Of Manchester
Plat was Drafted on April 6, 2009

NE Corner Section 29-89-5 Fd. 1/2" Rebar w/OPC PLS 8419 Rec. Bk. 1, Pg. 310

1019.04'-R

N

489.62'-R

NW 1/4-NW 1/4 20-89-5

NE 1/4-NE 1/4 Deed Rec. Bk. 82, Pg. 152

244.5'-R

976.8'-R

Lot 1 of Cornerstone Subdivision

480.48'-R

20'
270'
30'
270'

EAST ACERS STREET 1307.1'-R

GALES AVE | Gales Sub'd. | NEW STREET | Sunnyside Add. | SHERMAN AVE | Sunnyside Add. | 50' ROW | Sunnyside Add. | DOCTOR STREET

Existing 30' Utility Easement

PROF. ENGR. & LAND SURVEYOR
LYLE G. TeKIPPE 7060
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.

Lyle G. TeKippe, P.E., P.L.S. 4-30-09 Date
License Number 7060
My license renewal date is December 31, 2010.
Pages or 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


M:\Projects\2009\092006MS\dwg\092006ms-P-Sanitary.dwg

Field Book: N/A Pages: N/A

Project No. 092006.MS Sheet P1

Prepared by: TeKIPPE ENGINEERING, P.C., 1919 - 210th Street, P.O. Box 357, Manchester, Iowa 52057, Ph. (563)927-2060



PROF. ENGR. & LAND SURVEYOR
LYLE G. TeKIPPE 7060
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.

Lyle G. TeKippe — 4-30-09
Lyle G. TeKippe — Date
License Number 7060
My license renewal date is December 31, 2010.
Pages covered by this seal: SD-1

State of Iowa )
ss.
County of Delaware )

Subscribed and sworn to before me by Lyle G. TeKippe this 30th day of April, 2009.

NOTARIAL SEAL IOWA — CHRISTINA RICHTER Commission Number 723809 My Commission Expires 8-5-09

Christina Richter
Notary Public

SANITARY SEWER EASEMENT:

Easement Description:

The South 30 feet of the East 270 feet of: All that part of the North 1/2 of the Northeast 1/4 of Section 29, Township 89 North, Range 5 West of the 5th P.M., City of Manchester, Delaware County, Iowa (as shown on a deed recorded July 14, 1961, recorded in Deed Book 82, Page 162, on file in the Delaware County Record's Office, Manchester, Iowa), subject to other easements of record. See plat attached to this original easement description.