Book 2010 Page 1798
Document 2010 1798 Type 06 006 Pages 5
Date 6/14/2010 Time 2:19:14PM
Rec Amt $29.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

AGREEMENT TO TERMINATE PRIOR AGREEMENT FOR FUTURE STREET & CONSTRUCTION

Preparer Information: William D. Werger
303 First Ave NE
Waverly, IA 50677
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Taxpayer Information: N/A

Return Document To: City of Manchester, Iowa
208 E. Main St.
Manchester, IA 52057

Grantors:
Karusco, Inc.
Richard M. Jones, President
20911 – 263rd Street
Manchester, IA 52057

Grantees:
Bradley J. Davis
Shirley M. Fleuriet-Davis
176 Clara Avenue
Manchester, IA 52057

City of Manchester, Iowa
208 E. Main Street
Manchester, IA 52057

SHIRLEY A. DAVIS

Legal description is located on page: 2

Document of instrument number of previously recorded documents: N/A

Preparer Information William D. Werger, 303 First Ave. NE, Waverly, Iowa, (319) 352-1637
Individual's Name | Street Address | City | Phone

William D. Werger, AT# 8429

SPACE ABOVE THIS LINE FOR RECORDER

AGREEMENT TO TERMINATE PRIOR AGREEMENT FOR FUTURE STREET AND CONSTRUCTION

This Termination Agreement is made this 24 day of May 2010, by and between Karusco, Incorporated (hereinafter "Karusco") and Bradley J Davis and Shirley M. Fleuriet-Davis, and Shirley A. Davis (hereinafter "Davis") and the City of Manchester (hereinafter "City").

WHEREAS, Karusco, Incorporated is the owner of the following described real estate located in Delaware County, Iowa:

Lot 1 of Karusco South 2nd Subdivision, according to plat recorded in Book 2010, Page 1751, Manchester, Iowa.

and,

WHEREAS, Shirley A. Davis, Bradley J. Davis and Shirley M. Fleuriet-Davis are the owners of the following described real estate located in Delaware County, Iowa:

Lot 1 and Lot 2 of Karusco South Subdivision, according to plat recorded in Book 7 Plats, Page 207, Manchester, Iowa.

and,

WHEREAS, the City and Karusco were parties to an Agreement for Future Street Development and Construction which was recorded in Book 6, Page 151 of the Delaware County records which affects property now owned by Davis,

and,

WHEREAS, the parties have agreed that the circumstances have changed and that the City is no longer interested in the creation of Tenth Street between Main Street and Marion Street and that there is no longer any reason to move the intersection access for the Davis property from its present location;

and,

WHEREAS, the parties desire to terminate in all respects the agreement previously recorded.

NOW, THEREFORE, in consideration of the mutual benefits to be gained by all parties they agree as follows:

1. The Agreement for Future Street Development and Construction which was recorded in Book 6, Page 151 of the Delaware County records is hereby terminated and is no longer of any force or effect.

2. The reservation of a 66 foot right of way for Tenth Street on Lot 1 and Lot A of the Plat of Karusco South Subdivision is hereby terminated.

KARUSCO INCORPORATED CORPORATE SEAL IOWA

Karusco, Incorporated

By: Richard M. Jones, President
Richard M. Jones, President

State of Florida)
) ss:
County of Pasco)

On this 11 day of May, 2010, before me, the undersigned, a Notary Public in and for the State of Florida, personally appeared Richard M. Jones to me personally known, who being duly sworn, did say that he is the President of Karusco, Incorporated executing the within and foregoing instrument, that no seal has been procured by the corporation; that said instrument was signed on behalf of the corporation by authority of its Board of Directors; and that Richard M. Jones as President acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the corporation, by it and by him voluntarily executed.

ELEANORE M. WALKER
Notary Public - State of Florida
My Commission Expires Apr 7, 2011
Commission # DD 652910
Bonded Through National Notary Assn.

ELEANORE M. WALKER NOTARY PUBLIC STATE OF FLORIDA

Eleanore M. Walker
Notary Public in and for said County

Bradley J. Davis

Shirley M. Fleuriet-Davis

Subscribed and sworn to before me by Bradley J. Davis and Shirley M. Fleuriet-Davis this 14th day of May 2010.

Notary Public in and for the State of Iowa

JOSEPH R. SEVCIK
COMMISSION NO. 141511
MY COMMISSION EXPIRES
11/06/10

Shirley A. Davis

Subscribed and sworn to before me by Shirley A. Davis this 14 day of May 2010.

Notary Public in and for the State of Iowa

JOSEPH R. SEVCIK
COMMISSION NO. 141511
MY COMMISSION EXPIRES
11/06/10

City of Manchester, Iowa

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

By: _____
Erin Rempe, City Clerk

STATE OF IOWA)
) ss.
DELAWARE COUNTY)

On this 2nd day of June 2010, 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, and, who, being first duly sworn, did say that they are Mayor and City Clerk, respectively, of the City of Manchester, Iowa; 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 R-058-2010 passed (the Resolution adopted) by the City Council on the 24 day of May 2010, and that 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
Laura K. Thomas

LAURA K. THOMAS
Commission Number 716135
My Commission Expires
8-26-11