Book 2013 Page 687
Document 2013 687 Type 03 006 Pages 4
Date 2/21/2013 Time 10:45:00AM
Rec Amt $24.00*

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

RECORDING INFORMATION ABOVE

The Instrument Drafted By:
Brent Giese
Qwest Corporation, d/b/a/ CenturyLink QC
1801 California Street Suit 900.
Denver, Colorado 80202
(515) 263-7390

Return to:
John Boheman
Ulteig Engineers, Inc.
5701 S Corporate Place
Sioux Falls, SD 57108
(605) 323-2306

EASEMENT AGREEMENT

The undersigned **City of Manchester** (Grantor), for and in consideration of one dollar ($1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant and convey unto **Qwest Corporation, d/b/a CenturyLink QC** whose address is 1801 California Street, Suite 900, Denver, Colorado 80202, and its successors, assigns, affiliates, lessees, licensees, and agents, a perpetual non-exclusive easement to construct, modify, add to, maintain, and remove such telecommunications facilities and other appurtenances, from time to time, as Grantee may require upon, over, under and across the following described property situated in the County of Delaware, State of Iowa, which the Grantor owns or in which Grantor has an interest to wit:

SEE EXHIBITS A & B ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.
LEGAL DESCRIPTION IS ON PAGE THREE OF FOUR

Grantor further conveys to Grantee the right of ingress and egress to and from the Easement Area during all periods of construction, maintenance, installation, reinforcement, repair and removal over and across Grantor's lands with the right to clear and keep cleared all trees and other obstructions as may be necessary for Grantee's use and enjoyment of the Easement Area.

Grantee shall indemnify Grantor for all damages caused to Grantor as a result of Grantee's negligent exercise of the rights and privileges herein granted. Grantee shall have no responsibility for environmental contamination, which is either pre-existing or not caused by Grantee.

Grantor reserves the right to occupy, use and cultivate the Easement Area for all purposes not inconsistent with the rights herein granted.

Grantor covenants that Grantor is the fee simple owner of the Easement Area or has an interest in the Easement Area. Grantor will warrant and defend title to the Easement Area against all claims.

Grantor hereby covenants that no excavation, structure or obstruction will be constructed, or permitted on the Easement Area and no change will be made by grading or otherwise that would adversely affect Grantee's use and enjoyment of the Easement Area.

The rights, conditions and provisions of this Agreement shall run with the land and shall inure to the benefit of and be binding upon Grantor and Grantee and their respective successors and assigns.

Dated this 11 **day of** February, **2013.**

City of Manchester

By Milt L. Kramer

Its Mayor

By Erin Learn

Its City Clerk

STATE OF IOWA }
}ss
COUNTY OF DELAWARE }

This 11 day of February, 2013, before me, the undersigned officer, a Notary Public in and for the State of Iowa, personally appeared Milt L Kramer and Erin Learn, to me personally known, and who, being by me duly sworn, did say that they are the **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; and that Milt L Kramer and Erin Learn acknowledged the execution of the instrument to be their voluntary act and deed of said municipal corporation, by it and them voluntarily executed.

Witness My Hand and Official Seal

Laura K Thomas
Notary Public

LAURA K. THOMAS
Commission Number 718135
My Commission Expires
August 26, 2014

CITY OF MANCHESTER
CITY SEAL
MANCHESTER, IOWA

R/W # IA021113JB01 Job # E.349826

Exchange Manchester County Delaware

1/4 Section SW Section 29 Township 89N Range 5W 5th PM

Exhibit A

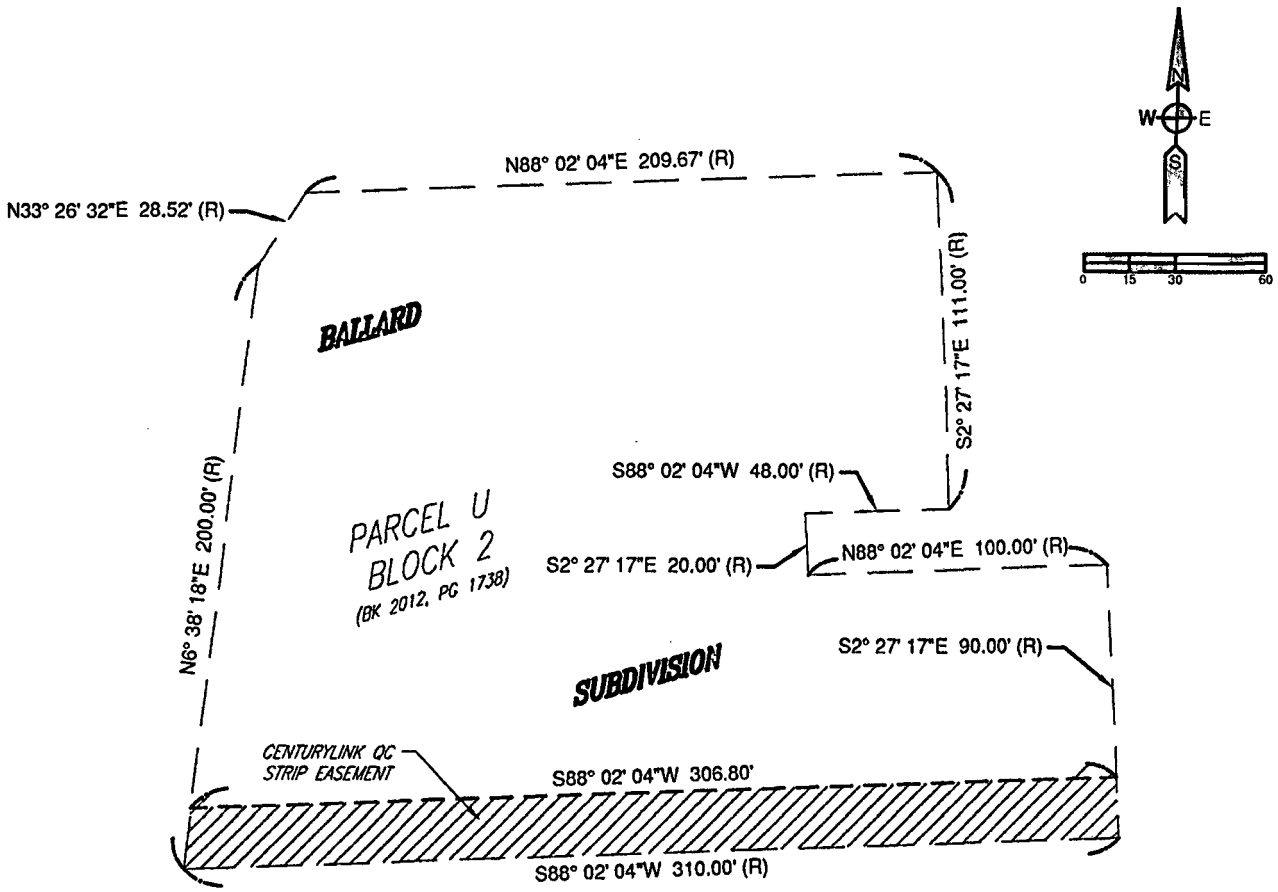
This description prepared by:
Ulteig Engineers, Inc.
5701 S. Corporate Place
Sioux Falls, SD 57108
(605) 323-2306

Land Description: **Parcel U, Part of Lot 2 of Ballard Subdivision,** Section 29, Township 89 North, Range 5 West of the 5th Principal Meridian, City of Manchester, Delaware County, Iowa, according to the Plat of Record filed in Book 2012 on Page 1738 in the Delaware County Recorder's office.

Easement Description: A Strip of Land being the Southerly 20.00 feet of said parcel as described above.

EASEMENT EXHIBIT
CENTURYLINK QC

IN PARCEL U, PART OF LOT 2 OF BALLARD SUBDIVISION TO THE
CITY OF MANCHESTER, DELAWARE COUNTY, IOWA



NOTES

NO SURVEY WORK WAS PERFORMED. ALL DIMENSIONS ARE FROM THE PLAT RECORDED IN BOOK 2012, PAGE 1738 IN THE DELAWARE COUNTY RECORDER'S OFFICE.

LEGEND

— — — —	EXISTING PROPERTY LINE
- - - - - - - -	EASEMENT LINE
(R)	RECORD DIMENSION

Ulteig

Sioux Falls - Bismarck - Denver - Detroit Lakes - Fargo - Minneapolis
5701 South Corporate Place
Sioux Falls, South Dakota 57108
Phone: 605.323.2306 Fax: 605.323.2308
Web: www.ulteig.com

EASEMENT EXHIBIT
CENTURYLINK QC
E.349826
401 E MAIN ST.
MANCHESTER, IOWA

Project Number: R12.02038
Date: 01/18/2013
Drawn By: DAW
Approved By: RDK
Sheets: 4 of 4

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