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DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

THIS DOCUMENT WAS PREPARED BY ANTHONY BARDGETT, DELAWARE COUNTY ENGINEER'S OFFICE, 2139 HIGHWAY 38., MANCHESTER, IA 52057, 563-927-3505
Return to: Delaware County Auditor, 301 E. Main Street, Manchester, IA 52057

28E AGREEMENT
ROAD MAINTENANCE - DELAWARE COUNTY AND CITY OF MASONVILLE

This agreement entered into this 11th day March of 2013, by and between Delaware County, Iowa, and the City of Masonville, Iowa.

WHEREAS, both Delaware County and the City of Masonville are a public agency as is defined by Section 28E.2 of the Code of Iowa, and

WHEREAS, Section 28E.3 of the Code of Iowa provides that any power or powers, privileges or authority exercised or capable of exercise by a public agency of the State of Iowa may be exercised and enjoyed jointly by a public agency of the State of Iowa having such power or powers, and

WHEREAS, it is proposed, due to the closing and vacating of a portion of 210th Street in Section 29 of Coffins Grove Township, that Delaware County will help maintain Gordon Street from the Masonville East Corporate Limits to county highway W63. Delaware County will add rock, maintain the grade, and remove snow at no cost to Masonville. Delaware County will determine, based on its own judgment, budget and means, how often maintenance and snow removal is required. This agreement in no way transfers easement or title to Delaware County. Delaware County will not be held responsible or liable for any damage or repair needed beyond a general maintenance scope, and

WHEREAS, the Delaware County Board of Supervisors and the City of Masonville have informed themselves as to the meaning and purpose of this agreement, and

WHEREAS, this agreement may be voided at any time with written notification to the other party.

IT IS NOW AGREED that Delaware County and the City of Masonville enter into an agreement as described above pursuant to Chapter 28E of the Code of Iowa.

Signed on this 25th day of February, 2013

Board of Supervisors
Delaware County, Iowa

Jeff Madlom, Chairperson

Jerry Ries

Shirley E. Helmrichs

DELAWARE COUNTY IOWA OFFICIAL SEAL

ATTEST:

Carla Becker
Delaware County Auditor

STATE OF IOWA)
) ss:
DELAWARE COUNTY)

On this 25th day of February, 2013, before me, Anne Rave, a Notary Public in and for the State of Iowa, personally appeared Jeff Madlom, Jerry Ries, Shirley E. Helmrichs and Carla K. Becker and who, being by me duly sworn, did say that they were, respectively, the Chairperson of the Delaware County Board of Supervisors, Delaware County Supervisors and the Delaware County Auditor; that the seal affixed to the foregoing instrument is the seal of the county and that the instrument was signed and sealed on behalf of the county, by authority of its Board of Supervisors, as passed by said Board of Supervisors at its meeting held on February 25, 2013, and that Jeff Madlom, Jerry Ries, Shirley Helmrichs and Carla K. Becker acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the county, by it voluntarily executed.

ANNE RAVE
Commission Number 757587
MY COMMISSION EXPIRES
MARCH 25, 2015

Anne Rave, Notary Public
In and for the State of Iowa

Signed on this 11 day of March A.D. 2013

City of Masonville
Masonville, Iowa

Bill Alden, Mayor

Kenneth Clemen, Council Member

Sherry Davis, Council Member

Absent
Daniel Kaiser, Council Member

Josh Kaiser, Council Member

Chuck Rettinger, Council Member

ATTEST:

Marge Horstman
City Clerk