Book 2013 Page 1093
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Date 3/28/2013 Time 1:15:03PM
Rec Amt $22.00

DEBORAH L PEYTON, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Return to &
Prepared By: Snyder & Associates, Inc.
5005 Bowling Street S.W. – Suite A, Cedar Rapids, IA 52404
(319) 362-9394

SPACE ABOVE THIS LINE FOR RECORDER

PERMANENT EASEMENT

KNOW ALL BY THESE PRESENTS:

That Edgewood-Colesburg Community School (hereinafter called "Grantor") in consideration of the sum of Ten Dollars and other valuable consideration to be paid by the City of Colesburg, Iowa upon final approval and acceptance of this easement, do hereby convey unto the City of Colesburg, Iowa, a municipal corporation, (hereinafter called "City") a perpetual Easement for Public Utility under, over, through and across the following described real estate:

See attached Exhibit (page 3)

(hereinafter called "Easement Area") for the purpose of the permanent right to construct, reconstruct, repair, alter, maintain and operate a public utility together with necessary appurtenances thereto, under, over, through and across said Easement Area for the following described public improvement:

Colesburg Wastewater Treatment Plant Improvements

This easement shall be subject to the following terms and conditions:

1. Erection of Structures Prohibited. Grantor shall not erect any landscaping or structure over or within the easement area without obtaining the prior written approval of the City Council.

2. Change of Grade Prohibited. Grantor shall not change the grade, elevation or contour of any part of the easement area without obtaining the prior written consent of the City Council.

3. Right of Access. The City shall have the right of access to the easement area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the easement area as herein described, including but not limited to, the right to remove any unauthorized obstructions or structures placed or erected on the easement area.

4. Easement Runs With Land. This easement shall be deemed to run with the land and shall be binding on Grantor and on Grantor's successors and assigns.

5. Approval By the City. This easement shall not be binding until it has received the final approval and acceptance by the City.

Grantor does HEREBY COVENANT with the City that Grantor holds said real estate described in this easement by title in fee simple; that grantor has good and lawful authority to convey the same; and said Grantor covenants to WARRANT AND DEFEND the said premises against the lawful claims of all persons whomsoever.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share, if any, in and to the interests conveyed by this easement.

IN WITNESS WHEREOF WE have hereunto affixed our hands this 21 day of August, 2012.

GRANTOR:

By Ed Klamfoth

Print Name Ed Klamfoth

By _____

Print Name _____

STATE OF Iowa, COUNTY OF Delaware, ss :

On this 21 day of August, 2012 before me the undersigned, a Notary Public in and for said State, personally appeared Ed Klamfoth to me known to be the identical person(s) named in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as his/her/their voluntary act and deed.

Tara Holub

Notary Public in and for said State of Iowa

Tara Holub
Notarial Seal, Iowa
Commission Number 759238
My Commission Expires 7/23/15

PREPARED BY: J.E. SPANGENBERG, SNYDER & ASSOCIATES, INC., 5005 BOWLING STREET S.W., CEDAR RAPIDS, IA 52404 (319) 362-9394

RETURN TO: J.E. SPANGENBERG, SNYDER & ASSOCIATES, INC., 5005 BOWLING STREET S.W., CEDAR RAPIDS, IA 52404 (319) 362-9394

PERMANENT UTILITY EASEMENT PLAT

PERMANENT UTILITY EASEMENT DESCRIPTION - EASEMENT A

A PART OF LOTS 5 AND 6 OF SUBDIVISION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 90 NORTH, RANGE 3 WEST OF THE 5TH PRINCIPAL MERIDIAN, DELAWARE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 4; THENCE SOUTH 0°34'36" WEST, ALONG THE EAST LINE OF SOUTHWEST 1/4 OF THE NORTHEAST 1/4 SAID SECTION 4, A DISTANCE OF 636.47 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0°34'36" WEST, 20.01 FEET; THENCE SOUTH 88°35'27" WEST, 5.12 FEET; THENCE SOUTH 89°10'06" WEST, 298.07 FEET; THENCE NORTH 0°55'39" EAST, 26.94 FEET; THENCE SOUTH 89°40'13" EAST, 20.00 FEET; THENCE SOUTH 0°55'39" WEST, 6.53 FEET; THENCE NORTH 89°10'06" EAST, 277.35 FEET; THENCE NORTH 88°35'27" EAST, 5.72 FEET TO THE POINT OF BEGINNING, CONTAINING 0.14 ACRES (6,197 SQUARE FEET) MORE OR LESS.

PERMANENT UTILITY EASEMENT DESCRIPTION - EASEMENT B

A PART OF LOT 2 AND LOT 3 COLESBURG EAST SUBDIVISION NO. 1, DELAWARE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 4; THENCE NORTH 0°34'36" EAST, ALONG THE EAST LINE OF SOUTHWEST 1/4 OF THE NORTHEAST 1/4 SAID SECTION 4, A DISTANCE OF 629.09 FEET TO THE NORTHEAST CORNER OF SAID LOT 3; THENCE NORTH 88°36'30" EAST, ALONG THE NORTH LINE OF SAID LOT 3, A DISTANCE OF 178.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88°36'30" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 20.02 FEET; THENCE SOUTH 1°01'31" WEST, 391.80 FEET; THENCE SOUTH 44°13'36" EAST, 26.31 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2; THENCE SOUTH 0°47'43" WEST, ALONG SAID EAST LINE, A DISTANCE OF 28.27 FEET; THENCE NORTH 44°13'36" WEST, 54.63 FEET; THENCE NORTH 1°01'31" EAST, 399.29 FEET TO THE POINT OF BEGINNING, CONTAINING 0.20 ACRES (8,720 SQUARE FEET) MORE OR LESS.

DATE OF SURVEY

07-05-12

OWNER

EDGEWOOD-COLESBURG COMMUNITY SCHOOL

LEGEND

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, Orange Cap # 12534 (Unless Otherwise Noted)	●	○
ROW Marker	■	⊡
ROW Rail	⊞	⊞
Control Point	⊙CP	
Bench Mark	⊕	
Platted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Deed Distance	D	
Calculated Distance	C	
Minimum Protection Elevation	MPE	
Centerline	————	
Section Line	——— – ———	
1/4 Section Line	—— – – ——	
1/4 1/4 Section Line	— – – – —	
Easement Line	— — — — —	

LICENSED PROFESSIONAL ENGINEER
J.E. SPANGENBERG
12534
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.

J.E. Spangenberg 3-26-13

J. E. Spangenberg, PLS Date

License Number 12534

My License Renewal Date is December 31, 2014

Pages or sheets covered by this seal:

Sheets 1 and 2

PERMANENT UTILITY EASEMENT PLAT

EDGEWOOD-COLESBURG COMMUNITY SCHOOL

SNYDER & ASSOCIATES, INC.
Engineers and Planners

5005 BOWLING STREET S.W.
CEDAR RAPIDS, IA 52404 (319) 362-9394

SHEET	1 OF 2
PN:	1080456
PM:	DAS
DATE:	08/03/12
TECH:	TWF

Y:\print_drivers\Black_Gray\DirectBWHalfWeight.pltcfg
Y:\pen\data.tbl
Snyder

m:\2008_projects\1080456\cadd\plats\10_EEC.dgn
3/26/2013
TWF

PREPARED BY: J.E. SPANGENBERG, SNYDER & ASSOCIATES, INC., 5005 BOWLING STREET S.W., CEDAR RAPIDS, IA 52404 (319) 362-9394

RETURN TO: J.E. SPANGENBERG, SNYDER & ASSOCIATES, INC., 5005 BOWLING STREET S.W., CEDAR RAPIDS, IA 52404 (319) 362-9394

TEMPORARY CONSTRUCTION EASEMENT

TEMPORARY EASEMENT DESCRIPTION - EASEMENT A

A PART OF LOT 6 OF SUBDIVISION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 90 NORTH, RANGE 3 WEST OF THE 5TH PRINCIPLE MERIDIAN, DELAWARE COUNTY, IOWA, MORE PARTICUARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 4; THENCE SOUTH 0°34'36" WEST, ALONG THE EAST LINE OF SOUTHWEST 1/4 OF THE NORTHEAST 1/4 SAID SECTION 4, A DISTANCE OF 631.49 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0°34'36" WEST, 4.98 FEET; THENCE SOUTH 88°35'27" WEST, 5.72 FEET; THENCE SOUTH 89°10'06" WEST, 277.35 FEET; THENCE NORTH 0°55'39" EAST, 6.53 FEET; THENCE NORTH 89°28'08" EAST, 282.99 FEET TO THE POINT OF BEGINNING, CONTAINING 0.04 ACRES (1,636 SQUARE FEET) MORE OR LESS.

TEMPORARY EASEMENT DESCRIPTION - EASEMENT B

A PART OF LOTS 4, 5, AND 6 OF SUBDIVISION OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 90 NORTH, RANGE 3 WEST OF THE 5TH PRINCIPLE MERIDIAN AND PART OF LOT 3 COLESBURG EAST SUBDIVISION NO. 1, DELAWARE COUNTY, IOWA, MORE PARTICUARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 4; THENCE SOUTH 0°34'36" WEST, ALONG THE EAST LINE OF SOUTHWEST 1/4 OF THE NORTHEAST 1/4 SAID SECTION 4, A DISTANCE OF 656.48 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 0°34'36": WEST, 5.00 FEET; THENCE NORTH 88°36'30" EAST, 178.50 FEET; THENCE SOUTH 1°01'31" WEST, 399.29 FEET; THENCE SOUTH 44°13'36" EAST, 54.63 FEET; THENCE SOUTH 0°47'43" WEST, 4.61 FEET; THENCE SOUTH 88°19'35" WEST, 29.51 FEET; THENCE NORTH 44°13'36" WEST, 48.36 FEET; THENCE NORTH 1°01'31" EAST, 388.68 FEET; THENCE SOUTH 88°35'27" WEST, 157.70 FEET; THENCE SOUTH 89°10'06" WEST, 323.98 FEET; THENCE NORTH 0°55'39" EAST, 52.46 FEET; THENCE SOUTH 89°40'13" EAST, 25.00 FEET; THENCE SOUTH 0°55'39" WEST, 26.94 FEET; THENCE NORTH 89°10'06" EAST, 298.07 FEET TO THE POINT OF BEGINNING, CONTAINING 0.54 ACRES (23,406 SQUARE FEET) MORE OR LESS.

LEGEND

Survey	Found	Set
Section Corner	▲	△
1/2" Rebar, Orange Cap # 12534 (Unless Otherwise Noted)	●	○
ROW Marker	■	⊡
ROW Rail	⊢⊣	⊡
Control Point	⊙CP	
Bench Mark	⊕	
Platted Distance	P	
Measured Bearing & Distance	M	
Recorded As	R	
Deed Distance	D	
Calculated Distance	C	
Minimum Protection Elevation	MPE	
Centerline	----------	
Section Line	————	
1/4 Section Line	—— — ——	
1/4 1/4 Section Line	— — — — —	
Easement Line	— — — — —	

DATE OF SURVEY

07-05-12

OWNER

EDGEWOOD-COLESBURG COMMUNITY SCHOOL

TEMPORARY CONSTRUCTION EASEMENT

EDGEWOOD-COLESBURG COMMUNITY SCHOOL

SNYDER & ASSOCIATES, INC.
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Snyder
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3/26/2013
TWF