Recorded: 12/23/2014 at 1:55:26.0 PM
Fee Amount: $22.00
Revenue Tax:
Delaware County, Iowa
DEBORAH PEYTON, RECORDER
BK: 2014 PG: 3219

Prepared by/Return to: Ryan M. Wicks, Fehr Graham, 1919 210th Street, Manchester, IA 52057, Ph. 563.927.2060.

RIGHT-OF-WAY 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 Manchester Enterprises Inc., 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 Right-of-Way easement as described below. The Grantee shall have the right to construct, operate, inspect, repair, maintain and replace improvements over, across and through the land of the Grantor, situated in the City of Manchester, Delaware County, Iowa, said land being as follows:

Lot 2, Subdivision of Part of the East One-Half of the Southeast Quarter of Section 31 and Part of the West One-Half of the Southwest Quarter of Section 32, Township 89 North, Range 5 West, of the 5th P.M., Delaware County, Iowa.

And said easement being as follows:

The East 10 Feet of said Lot 2.

Containing 0.365 Acre, subject to other easements of record.

See Attached Easement Plat.

The consideration recited above shall constitute payment in full for any damage to the land of the Grantor, the estate's successor's 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, 10 feet wide, 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 19 day of December 2014.

Tax Payer Information:
Manchester Enterprises Inc.
P.O. Box 374
Manchester, Iowa 52057

Linda J. Wolter, President
GRANTOR

Cindy Lyle, Secretary
GRANTOR

CORPORATE ACKNOWLEDGMENT

State of Iowa)
) SS.
County of Delaware)

On this 16th day of December, 2014, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Heath Wehner and Craig Tegtmeier, to me known, who, being by me duly sworn, did say that they are the President and Secretary, respectively, of the corporation executing the foregoing instrument; that (no seal has been procured by) (~~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 Heath Wehner and Craig Tegtmeier acknowledged the execution of the instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Patricia L. Salow
Notary Public in and for the State of Iowa

PATRICIA L. SALOW
Commission Number 141739
My Commission Expires
November 26, 2015

The Mayor and City Clerk are hereby directed to certify this approval and affix the same to said final plat as by law provided.

Passed this 22 day of Dec., A.D., 2014.

CITY OF MANCHESTER

Milt L. Kramer, Mayor

ATTEST:

Erin Learn, City Clerk

State of Iowa)
) SS.
County of Delaware)

On this 22 day of Dec., 2014, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Milt L. Kramer and Erin Learn, 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. 151-2014 passed by Resolution of the City Council under Roll Call No. 5-2 of the City Council on the 22 day of December, 2014, and Milt L. Kramer and Erin Learn 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.

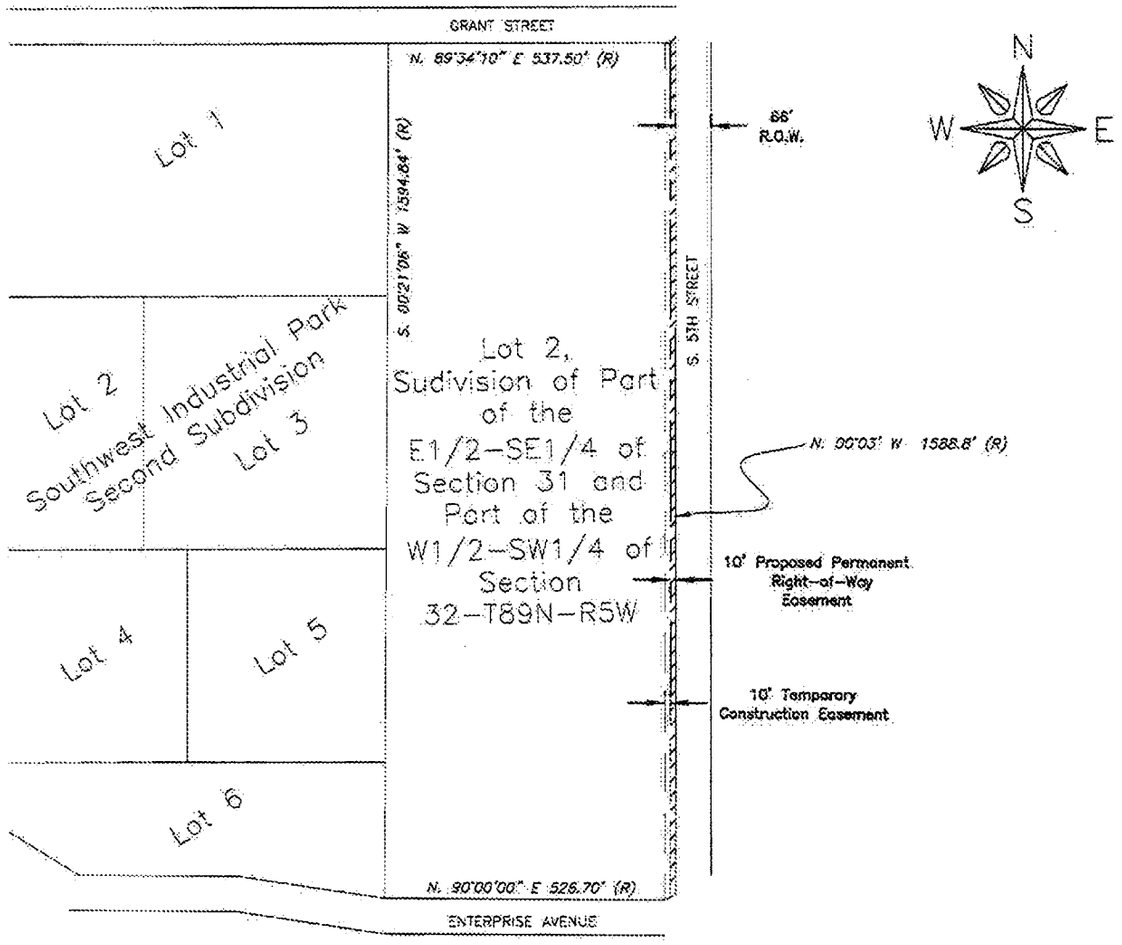
Notary Public in and for the State of Iowa

LAURA K. THOMAS
Commission Number 718135
My Commission Expires
August 26, 2017

Prepared by/Return to: FEHR GRAHAM, 1919 210th Street, Manchester IA 52057 – Ph: (563)927-2060

Easement Plat

10' Permanent Right-of-Way Easement in Lot 2, Subdivision of Part of the E1/2-SE1/4 of Section 31 and Part of the W1/2-SW1/4 of Section 32-T89N-R5W Delaware County, Iowa



Permanent Right-of-Way Easement in Lot 2, Subdivision of Part of the E1/2-SE1/4 of Section 31 and Part of the W1/2-SW1/4 of Section 32-T89N-R5W, Delaware County, Iowa, and more particularly described as follows:

The East 10 Feet of Lot 2, according to Plat Recorded in Book 2 Plats, Page 167 in the office of the Delaware County Recorder;

Containing **0.365 Acre**, subject to other easements of record.

300' 150' 0 300'

GRAPHIC SCALE IN FEET
SCALE: 1"=300'

LEGEND

(R) RECORDED AS
SUBDIVISION/LOT BOUNDARY
PROPOSED RIGHT-OF-WAY
PROPOSED TEMPORARY EASEMENT

PROF. ENGINEER & 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.
License Number: 7060
My license renewal date is December 31, 2014.
Sheets covered by this seal: This Sheet Only

11-7-14
Date

FEHR GRAHAM
ENGINEERING & ENVIRONMENTAL
2014 FEHR GRAHAM

ILLINOIS
IOWA
WISCONSIN

G:\C3D\13\13-875\13-875 Survey.dwg

PROPRIETOR:
Manchester Enterprises Inc.
REQUESTED BY:
City of Manchester

JOB NUMBER:
13-875

SHEET NUMBER:
1