Recorded: 12/23/2014 at 1:55:28.0 PM
Fee Amount: $22.00
Revenue Tax:
Delaware County, Iowa
DEBORAH PEYTON, RECORDER
BK: 2014 PG: 3220

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

SIDEWALK/TRAIL 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 Spiegel Family Realty Company Iowa, LLC hereinafter referred to as Grantor, by City of Manchester, hereinafter referred to as Grantee, the receipt of which is hereby acknowledged, the Grantor does hereby grant, transfer and convey unto the Grantee, its successors and assigns, a trail easement as described below. The Grantee shall have the right to enjoy, construct, operate, inspect, repair, maintain and replace trail over, across and through the land of the Grantor, for the life of said sidewalk/trail over land of the Grantor its successors and assignees.

And said easement being as follows:

15 Foot Permanent Sidewalk/Trail Easement in West Commercial Subdivision, City of Manchester, Delaware County, Iowa, and more particularly described as follows:

The South 15 Feet of Lot 2 of the West Commercial Subdivision, City of Manchester, Delaware County, Iowa;

Containing **0.121 Acre**, subject to other easements of record.

And said construction easement being as follows:

10 Foot Temporary Sidewalk/Trail Construction Easement North of the 15 Foot Permanent Sidewalk/Trail Easement as described above, and area around existing driveway to allow for replacement.

See Attached Exhibit A.

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.

Dated this 23 day of October 2014.

GRANTOR ACKNOWLEDGEMENT

We, A.J. Spiegel, President, of Spiegel Family Realty Company Iowa, LLC, do hereby acknowledge and approve the above Description and attached Plat.

Spiegel Family Realty Company Iowa, LLC

A.J. Spiegel, President

THOMAS J ALLENDORF
Commission Number 776727
My Commission Expires

STATE OF IOWA)
ss.
COUNTY OF Dubuque)

On this 22nd day of October, 2014, before me, a Notary Public in and for the State of Iowa, A. J. Spiegel, personally appeared to me personally known, who being by me duly sworn did say that he is the President respectively of said Spiegel Family Realty Company Iowa, LLC and that said instrument was signed on behalf of the said Spiegel Family Realty Company Iowa, LLC by authority of its President acknowledged the execution of said instrument to be the voluntary act and deed of said Spiegel Family Realty Company Iowa, LLC by it and by them voluntarily executed.

Notary Public

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 December, A.D., 2014.

Milt L. Kramer, Mayor

ATTEST:

Erin Learn, City Clerk

STATE OF IOWA)

) SS.

COUNTY OF DELAWARE)

On this 22 day of December, 2014, before me, Laura K. Thomas, 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 the authority of its City Council, as contained in Resolution Number 162-2014 adopted by the City Council on the 22 day of December, 2014, and that Milt L. Kramer and Erin Learn acknowledge 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.

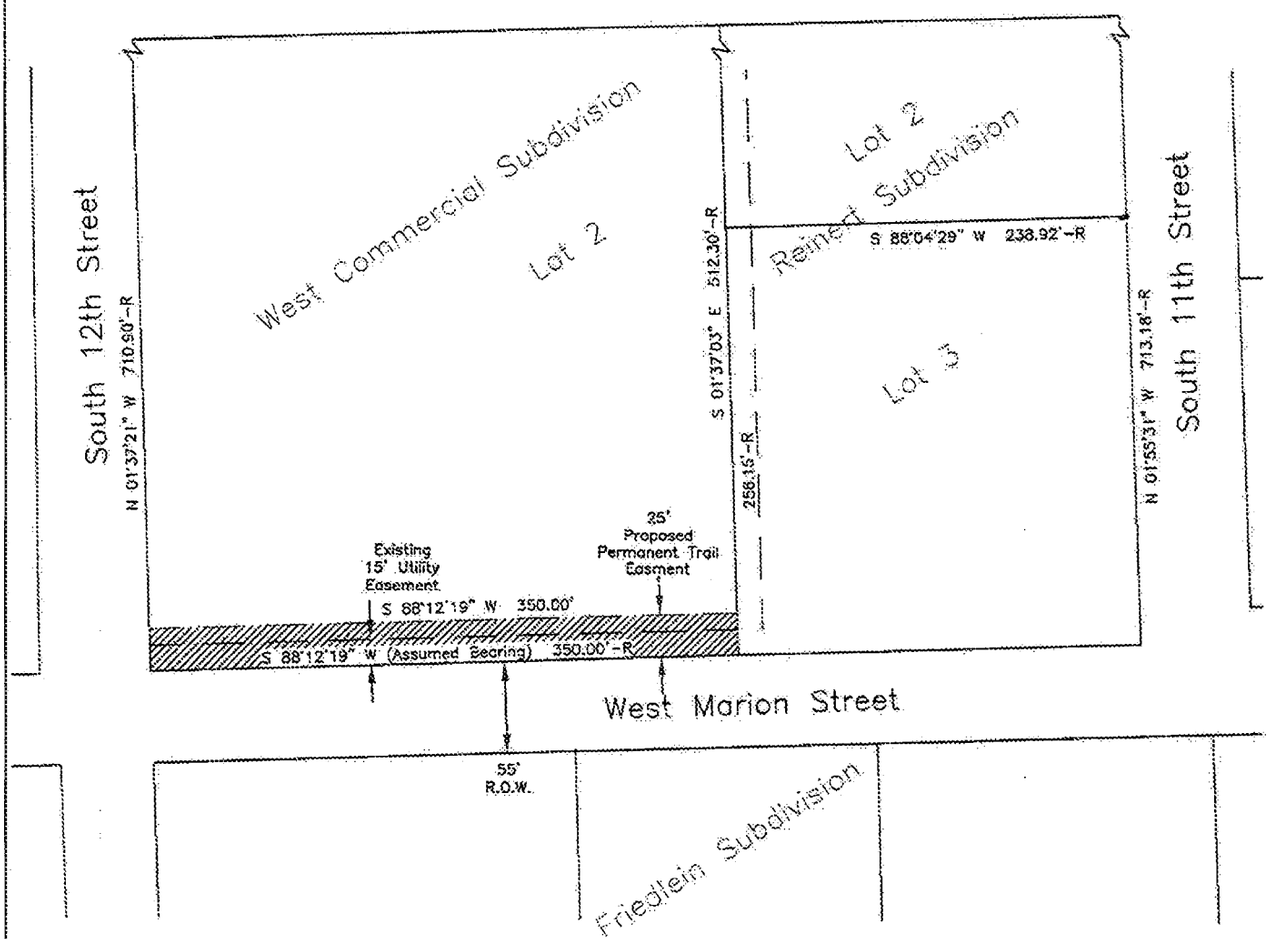
Notary Public.

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

Exhibit 'A'

25' Permanent Trail Easement in Lot 2, West Commercial Subdivision, City of Manchester, Delaware County Iowa



25 Foot Permanent Trail Easement in West Commercial Subdivision, City of Manchester, Delaware County, Iowa, and more particularly described as follows:

The South 25 Feet of Lot 2, West Commercial Subdivision, City of Manchester, Delaware County, Iowa;

Containing **0.199 Acre**, subject to other easements of record.
(See plat attached to this original survey description.)

PROPRIETOR:
Spiegel Family Realty Company Iowa, LLC
c/o MI-T-M Corporation

REQUESTED BY:
City of Manchester

100' 50' 0 100'
GRAPHIC SCALE IN FEET
SCALE: 1"=100'

N W E S

LEGEND
SUBDIVISION/LOT BOUNDARY
EXISTING EASEMENT
PROPOSED EASEMENT
R RECORDED AS

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. 5-30-14
License Number: 7060 Date
My license renewal date is December 31, 2014.
Sheets covered by this seal: This Sheet

FEHR GRAHAM
ENGINEERING & ENVIRONMENTAL
2014 FEHR GRAHAM
ILLINOIS IOWA WISCONSIN

G:\C3D\14\14-060\14-060.West.Comm.Sub.dwg

FLD BK: Manchester No. 1
PG: 32-35

SURVEY WAS COMPLETED ON:
May 6, 2014

JOB NUMBER: 14-060

SHEET NUMBER: 1