Recorded: 12/23/2014 at 1:55:30.0 PM
Fee Amount: $22.00
Revenue Tax:
Delaware County, Iowa
DEBORAH PEYTON, RECORDER
BK: 2014 PG: 3222

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

STORM DRAINAGE 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 Rose Kann Real Estate, 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 Storm Drainage 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:

20 Foot by 40 Foot Permanent Storm Drainage Easement in the Northeast Quarter of the Northeast Quarter in Section 31, Township 89 North, Range 5 West of the 5th PM, City of Manchester, Delaware County, Iowa, and more particularly described as follows:

The South 20 Feet of the West 40 Feet of a Warranty Deed Recorded in Book 2007, Page 4016 on file at the Delaware County Recorder's Office in Manchester, Iowa;

Containing **0.018 Acre**, subject to other easements of record.

And said construction easement being as follows:

The South 35 Feet of the West 70 Feet of Said property and a 10 Foot Temporary Sidewalk/Trail Construction Easement along the south line of said Property.

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 16 day of December 20 14.

GRANTOR ACKNOWLEDGEMENT

I, William Kann, Treasurer, of Rose Kann Real Estate, LLC, do hereby acknowledge and approve the above Description and attached Plat.

Rose Kann Real Estate, LLC

William Kann, Treasurer

STATE OF IOWA)
ss.
COUNTY OF Delaware)

On this 16 day of December, 2014, before me, a Notary Public in and for the State of Iowa, William Kann, personally appeared to me personally known, who being by me duly sworn did say that he is the Treasurer respectively of said Rose Kann Real Estate, LLC and that said instrument was signed on behalf of the said Rose Kann Real Esate, LLC by authority of its Treasurer acknowledged the execution of said instrument to be the voluntary act and deed of said Rose Kann Real Esate, LLC by it and by them voluntarily executed.

Laura K Thomas
Notary Public

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

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.

CITY OF MANCHESTER CITY SEAL MANCHESTER, IOWA

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Erin Learn

Erin Learn, City Clerk

STATE OF IOWA)

) SS.

COUNTY OF DELAWARE)

On this 23 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 152-2014 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.

Laura K. Thomas

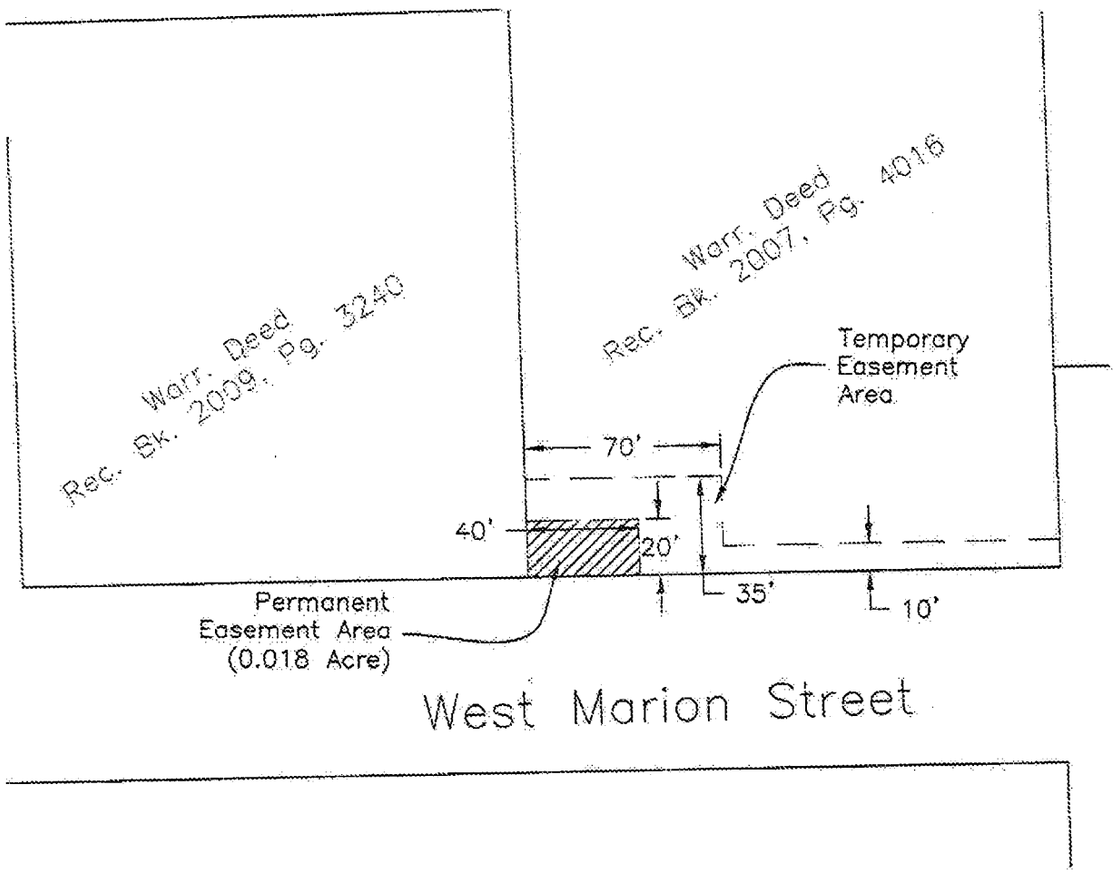
Notary Public.

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'

Permanent Storm Sewer Easement in the NE1/4-NE1/4, Section 31, T89N, R5W, City of Manchester, Delaware County, Iowa



Permanent Storm Sewer Easement in the Northeast Quarter of the Northeast Quarter in Section 31, Township 89 North, Range 5 West of the 5th P.M., City of Manchester, Delaware County, Iowa, and more particularly described as follows:

The South 20 Feet of the West 40 Feet of a Parcel described in Warranty Deed recorded in Book 2007, Page 4016, on file in the Delaware County Recorder's office, Manchester, Iowa;

Containing **0.018 Acre**, subject to other easements of record.

PROPRIETOR:
Rose Kann Real Estate, LLC
REQUESTED BY:
City of Manchester

60' 30' 0 60'
GRAPHIC SCALE IN FEET
SCALE: 1"=60'

N
W E
S

LEGEND
PROPERTY LINES
PROPOSED 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. 12-1-14
License Number: 7060 Date
My license renewal date is December 31, 2014.
Sheets covered by this seal: Sheet 1

FEHR GRAHAM
ENGINEERING & ENVIRONMENTAL
2014 FEHR GRAHAM
ILLINOIS
IOWA
WISCONSIN

G:\C3D\14\14-060\14-060.Kann.dwg

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

SURVEY WAS COMPLETED ON:
October 20, 2014

JOB NUMBER:
14-060B

SHEET NUMBER:
1 OF 1