Recorded: 12/23/2014 at 2:05:17.0 PM
Fee Amount: $22.00
Revenue Tax:
Delaware County, Iowa
DEBORAH PEYTON, RECORDER
BK: 2014 PG: 3223

Prepared by/Return to: Ryan Wicks, Fehr Graham, 1919 210th St, 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 St. Mary's Church in Manchester, Iowa, an Iowa Corporation, 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, bargain, sell, transfer and convey unto the Grantee, its successors and assigns, a perpetual easement. The Grantee shall have the right to construct, operate, inspect, repair, maintain and replace sidewalk / trail over, across and through the land of the Grantor, situated in the City of Manchester, Delaware County, Iowa, said land being as follows:

The North 132' of Lot 17 in Ballard's Subdivision of Part of Lot I and Lots M and N of Iowa Company's Subdivision of Part of Manchester, Delaware County, Iowa.

And said easement being as follows:

Beginning at the Northwest Corner of said Lot 17;

Thence N 87°46'50" E (Assumed Bearing), 10.00 feet along the South Right of Way Line of Butler Street;

Thence S 42°39'46" W, 14.11 feet to the East Right of Way Line of River Street;

Thence N 02°27'17" W, 10.00 feet along the East Right of Way Line of River Street to the Point of Beginning;

Containing 0.001 Acre (50 sq. ft.) subject to other easements of record.

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 successors 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, as shown on the attached exhibit, 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 22 day of December 2014.

GRANTOR ACKNOWLEDGEMENT

GRANTOR – Father Joseph Schneider

GRANTOR – Marvin Waterhouse

CORPORATE ACKNOWLEDGMENT

State of Iowa)
) SS.
County of Delaware)

On this 18 day of December 2014, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Father Joseph Schneider and Marvin Waterhouse, to me known, who, being by me duly sworn, did say that they are the Pastor, and Parish Council Chair, respectively, of the corporation executing the foregoing instrument; that no seal has been procured by the corporation; that said instrument was signed on behalf of the corporation by authority of this Board of Directors; that Father Joseph Schneider and Marvin Waterhouse acknowledged the execution of the instrument to be the voluntary act and deed of the corporation, by it and by them voluntarily executed.

Notary Public in and for the State of Iowa

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

GRANTEE ACKNOWLEDGEMENT

CITY OF MANCHESTER

By: Milt L Kramer
Milt L. Kramer, Mayor

By: Erin Learn
Erin Learn, City Clerk

(MUNICIPAL SEAL)

State of Iowa)
) SS.
County of Delaware)

On this 22 day of December, 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. 152-2014 passed by Resolution of the City Council under Roll Call No. 55 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.

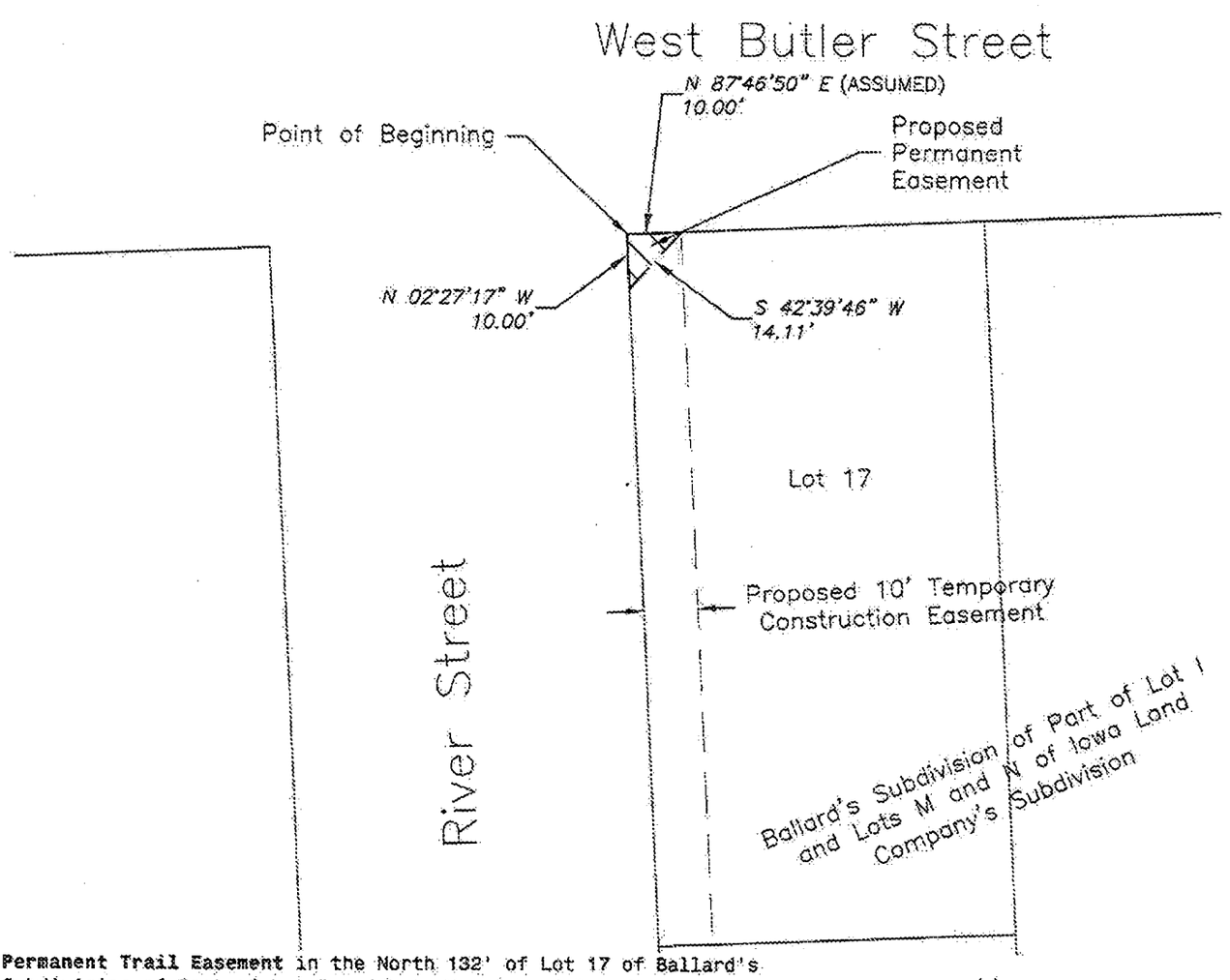
Laura K Thomas
Notary Public in and for the State of Iowa

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

Exhibit A

Permanent Trail Easement in the North 132' of Lot 17 in Ballard's Subdivision of Part of Lot I and Lots M and N of Iowa Land Company's Subdivision of Part of Manchester, Delaware County, Iowa



Permanent Trail Easement in the North 132' of Lot 17 of Ballard's Subdivision of Part of Lot I and Lots M and N of Iowa Land Company's Subdivision of Part of Manchester, Delaware County, Iowa, and more particularly described as follows:

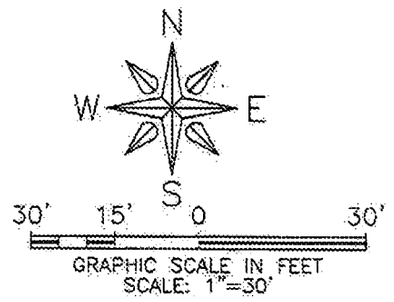
Beginning at the Northwest Corner of said Lot 17;

Thence N 87°46'50" E (Assumed Bearing), 10.00 feet along the South Right of Way Line of Butler Street;

Thence S 42°39'46" W, 14.11 feet to the East Right of Way Line of River Street;

Thence N 02°27'17" W, 10.00 feet along the East Right of Way Line of River Street to the Point of Beginning;

Containing **0.001 Acre(50 sq. ft.)**, subject to other easements of record.



GRAPHIC SCALE IN FEET
SCALE: 1"=30'

LEGEND

— — — — — PROPOSED PERMANENT EASEMENT
— — — — — 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. — Date 11-18-14
License Number: 7060
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\14-059\14-059-TOPO.dwg

PROPRIETOR:
St. Mary's Church in Manchester, Iowa, an Iowa Corporation
REQUESTED BY:
City of Manchester

JOB NUMBER: 14-059

SHEET NUMBER: 1