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Rec Amt $17.00

Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

Prepared by/Return to: Burrington Group, Inc., 105 West Main Street, Manchester, IA 52057 563-927-2434

BUILDING EASEMENT

KNOW ALL MEN BY THESE PRESENT: That in consideration of the sum of One Dollar ($1.00) and other good and valuable consideration paid to City of Earlville, hereinafter referred to as Grantor, by Three Rivers FS Company, hereinafter referred to as Grantee, the receipt of which is hereby acknowledged. The Grantor does here hereby grant, transfer and convey unto the Grantee, its successors and assigns, a Building Easement as described below. The Grantee shall have the right to enjoy, construct, operate, inspect, repair, maintain and replace a building over, and maintain access through, the land of the Grantor, for the life of said building or its replacement, over the below described land of the Grantor, its successors and assignees.

And said easement being as follows:

Building Easement 'D'; in North Side Road adjacent to Block 35, City of Earlville, Delaware County Iowa more particularly described as follows:

Commencing at the Southeast Corner of said Block;

Thence **South 01° 42' 40" East, 32.44 feet** along the West Line extended of Vacated Radcliff Street to the Point of Beginning;

Thence continuing **South 01° 42' 40" East, 11.62 feet** along said Line;

Thence **South 88° 37' 28" West, 65.36 feet;**

Thence **North 01° 03' 15" West, 11.62 feet;**

Thence **North 88° 37' 28" East, 65.23 feet** to the Point of Beginning;

Containing **0.02 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 successors, assigns and heirs, by reason of the installation, operation and maintenance of the structure 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 the 14 day of September, 2015.

OWNER'S ACKNOWLEDGMENT

I (we) Dan Wheeler, Mayor, and Linda Gaul, City Clerk, City of Earlville, Delaware County, State of Iowa, do hereby certify

that the above survey, as shown by the attached Plat, is made with our free consent, and in accordance with the desire of the City.

Mayor, Dan Wheeler

City Clerk, Linda Gaul

CITY OF EARLVILLE OFFICIAL SEAL EARLVILLE, IOWA

STATE OF IOWA)
) SS.
COUNTY OF Delaware)

On this 14th day of September, 2015, before me, Courtney Juran, a Notary Public in and for the State of Iowa, personally appeared Dan Wheeler and Linda Gaul 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 Earlville, 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 _____ adopted by the City Council on the 14 day of September, 2015, and that Dan Wheeler and Linda Gaul 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.

NOTARIAL SEAL IOWA
COURTNEY LYNN JURAN
Commission Number 776958
My Commission Expires

Courtney Lynn Juran, Notary Public

Resolution # 2015-12

City of Earlville Approving Plats

Whereas, **Building Easement 'D'**; in North Side Road adjacent to Block 35, City of Earlville, Delaware County Iowa.

Public Hearing Sept. 14, 2015 at 6:00, P.M.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EARLVILLE, DELAWARE COUNTY, IOWA:

That the Building Easement Agreement for said Right-of-Way and Easement Plat be and the same are hereby acknowledged, approved, and accepted on the part of the City of Earlville of Delaware County, Iowa.

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

Passed this 14 day of Sept., 2015.

Dan Wheeler, Mayor

ATTEST:
Linda Gaul, City Clerk

