Recorded: 1/3/2017 at 10:52:33.0 AM
Fee Amount: $17.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2017 PG: 20

Prepared by/Return to: Nathan P. Kass, P.E. & L.S.I, Project Manager
TeKippe Engineering, P.C., P.O. Box 357, Manchester, IA 52057, 563-927-2060

PUBLIC UTILITY 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 Dennis Gudenkauf and Judy A. Gudenkauf, 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 perpetual easement - said easement being a thirty-foot wide utility easement. The Grantee shall have the right to construct, operate, inspect, repair, maintain and replace sanitary sewer over, across and through the land of the Grantor, situated in Delaware County, Iowa, said land being as follows:

Lot 5 in Fink's Subdivision of Part of the West One-Half (W½) of the Northeast Fractional One-fourth and part of the East One-half of the Northwest Fractional One-fourth, all in Section 6, Township 88 North, Range 5, West of the 5th Principle P.M, Delaware County, Iowa, according to the plat recorded in Book 5, Page 122. See deed recorded in Book 122, Page 330.

And said easement being as follows:

The north thirty (30.00) feet of the above described parcel and as shown on EXHIBIT A attached.

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, twenty (20.00) feet in width, 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 23 day of January, 2012.

GRANTOR ACKNOWLEDGEMENT

Tax Payers:
Dennis & Judy A. Gudenkauf
1456 220th Street
Manchester, IA 52057-9424

Dennis Gudenkauf

Judy A. Gudenkauf

INDIVIDUAL ACKNOWLEDGMENT

State of Iowa)
) SS.
County of Delaware)

On this 11th day of January, 2012, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Dennis Gudenkauf and Judy A. Gudenkauf, to me known to be the identical persons named in and who executed the foregoing instrument, and acknowledged that they executed the instrument as their voluntary act and deed.

Notary Public in and for the State of Iowa

LAURA K. THOMAS
Commission Number 718135
My Commission Expires
August 26, 2014

GRANTEE ACKNOWLEDGEMENT

CITY OF MANCHESTER

By: Milt Kramer
Milt Kramer, Mayor

By: _____
Erin Rempe, City Clerk

(MUNICIPAL SEAL)

State of Iowa)
) SS.
County of Delaware)

On this 24 day of JANUARY, 2012, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Milt Kramer and Erin Rempe, 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. R013-2012 passed by Resolution of the City Council under Roll Call No. _____ of the City Council on the 23 day of JANUARY, 2012, and Milt Kramer and Erin Rempe 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

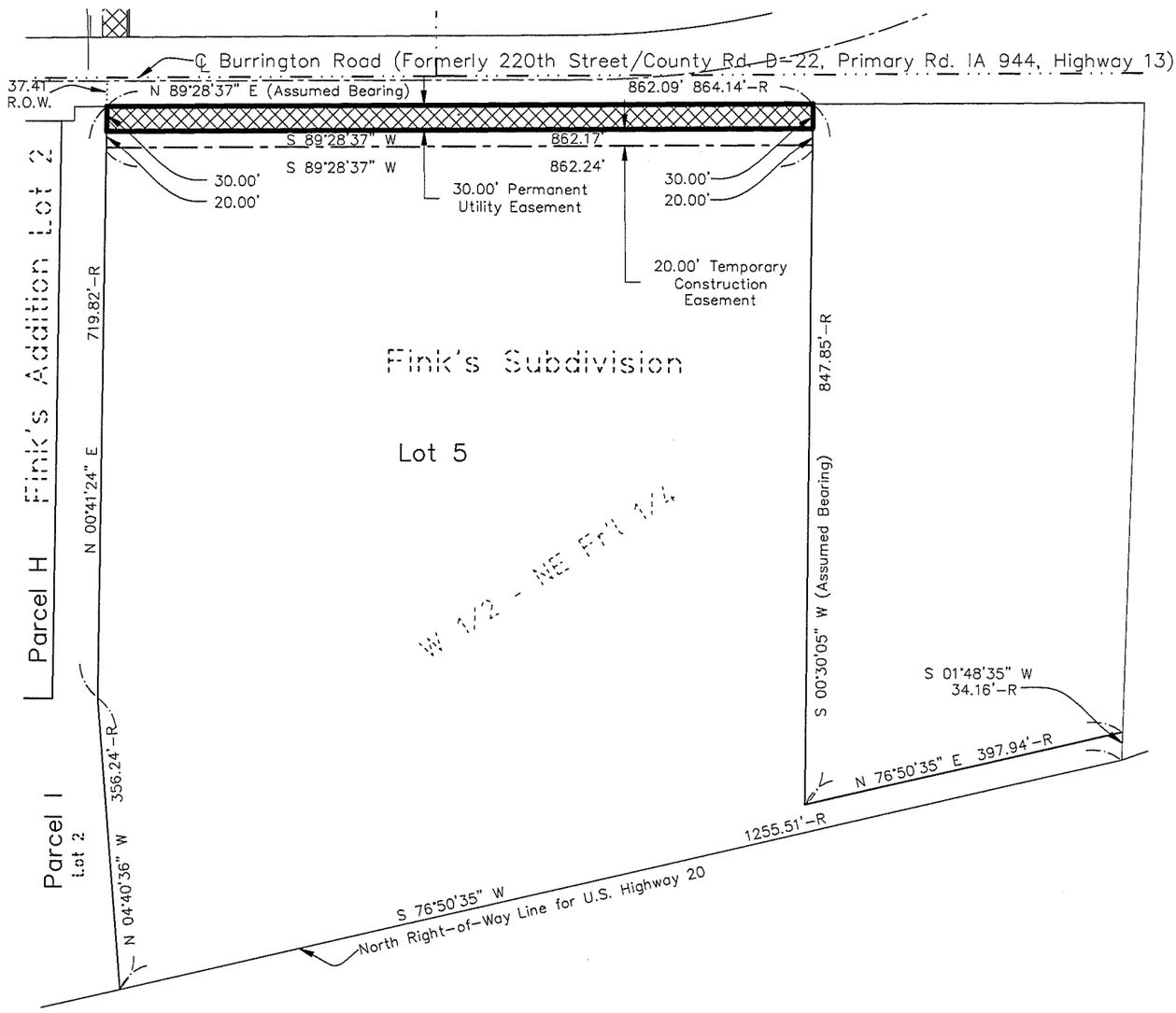
LAURA K. THOMAS
Commission Number 718135
My Commission Expires
August 26, 2014

Prepared by\Return to: TeKippe Engineering, P.C., PO Box 357, Manchester, Iowa 52057 Ph. (563)927-2060

EXHIBIT A

Utility Easement Plat

The North 30 Feet of Lot 5 in Fink's Subdivision of Part of the W 1/2 – NE Fr'l 1/4 and Part of the E 1/2 of teh NW Fr'l 1/4, All in Section 6 – T88N – R5W, Delaware County, Iowa



LEGEND

Recorded as.....R

Permanent Easement Area.....

Temporary Easement Line.....

Section Line.....

Proprietors:
Dennis Gudenkauf
and
Judith A. Gudenkauf
Requested by:
City of Manchester

100 0 100' 200' 400'

1 inch = 200 ft.

Drafting was completed on January 6, 2012.

TeKippe Engineering, P.C.

West Union
563-422-5131
Manchester 563-927-2060
Cedar Rapids 319-294-6909
www.tekippe.com

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Project No. 08659.MS Sheet 3