Recorded: 1/3/2017 at 2:13:09.0 PM
Fee Amount: $22.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2017 PG: 31

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

WATER MAIN 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 Innovative Ag Services Co, 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 water main easement as described below. The Grantee shall have the right to construct, operate, inspect, repair, maintain and replace improvements over, across and through the land of the Grantor, situated in the City of Manchester, Delaware County, Iowa, said land being as follows:

Part of Lot 12 of the Subdivision of the East ¾ of the South ½ of Section 32, T89N, R5W of the 5th PM in the City of Manchester, Delaware County, Iowa (aka 1100 S 5th Street).

And said easement being as follows:

Commencing at the Southwest Corner of Lot 11 of the Subdivision of the East ¾ of the South ½ of Section 32, T89N, R5W of the 5th PM in Manchester, Iowa, as recorded in Plat Book A Page 5 in the office of Delaware County Recorder;

Thence North 88°32'20" East (Assumed Bearing), 33.00 Feet to the East Right-of-way Line of South 5th Street and the Point of Beginning;

Thence continuing North 88°32'20" East, 10.00 Feet;

Thence South 02°03'47" East, 200.00 Feet;

Thence South 88°32'20" West, 10.00 Feet to the East Right-of-way Line of South 5th Street;

Thence North 02°03'47" West, 200.00 Feet along the East Right-of-way Line of South 5th Street to the Point of Beginning;

Containing **0.046 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 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.

An additional Temporary Construction Easement, 20 feet wide, 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 October, 2015.

Tax Payer:
Innovative Ag Services Co
2010 S Main Street
Monticello, Iowa 52310

Ben Biver
Location Manager

CORPORATE ACKNOWLEDGMENT

State of Iowa)
) SS.
County of Delaware)

On this 23rd day of October, 2015, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Ben Biver, to me known, who, being by me duly sworn, did say that he is the Location Manager 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; Ben Biver acknowledged the execution of the instrument to be the voluntary act and deed of the corporation, by it and by him voluntarily executed.

Christina Richter
Notary Public in and for the State of Iowa

CHRISTINA RICHTER
Commission Number 723809
My Commission Expires

GRANTEE ACKNOWLEDGEMENT

CITY OF MANCHESTER

By: Milt Kramer
Milt Kramer, Mayor

By: Erin Learn
Erin Lear, City Clerk
Learn

(MUNICIPAL SEAL)

State of Iowa)
) SS.
County of Delaware)

On this 3 day of January, 2017, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Milt 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. 113-2015 passed by Resolution of the City Council under Roll Call No. ____ of the City Council on the 12 day of October, 2015, and Milt 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.

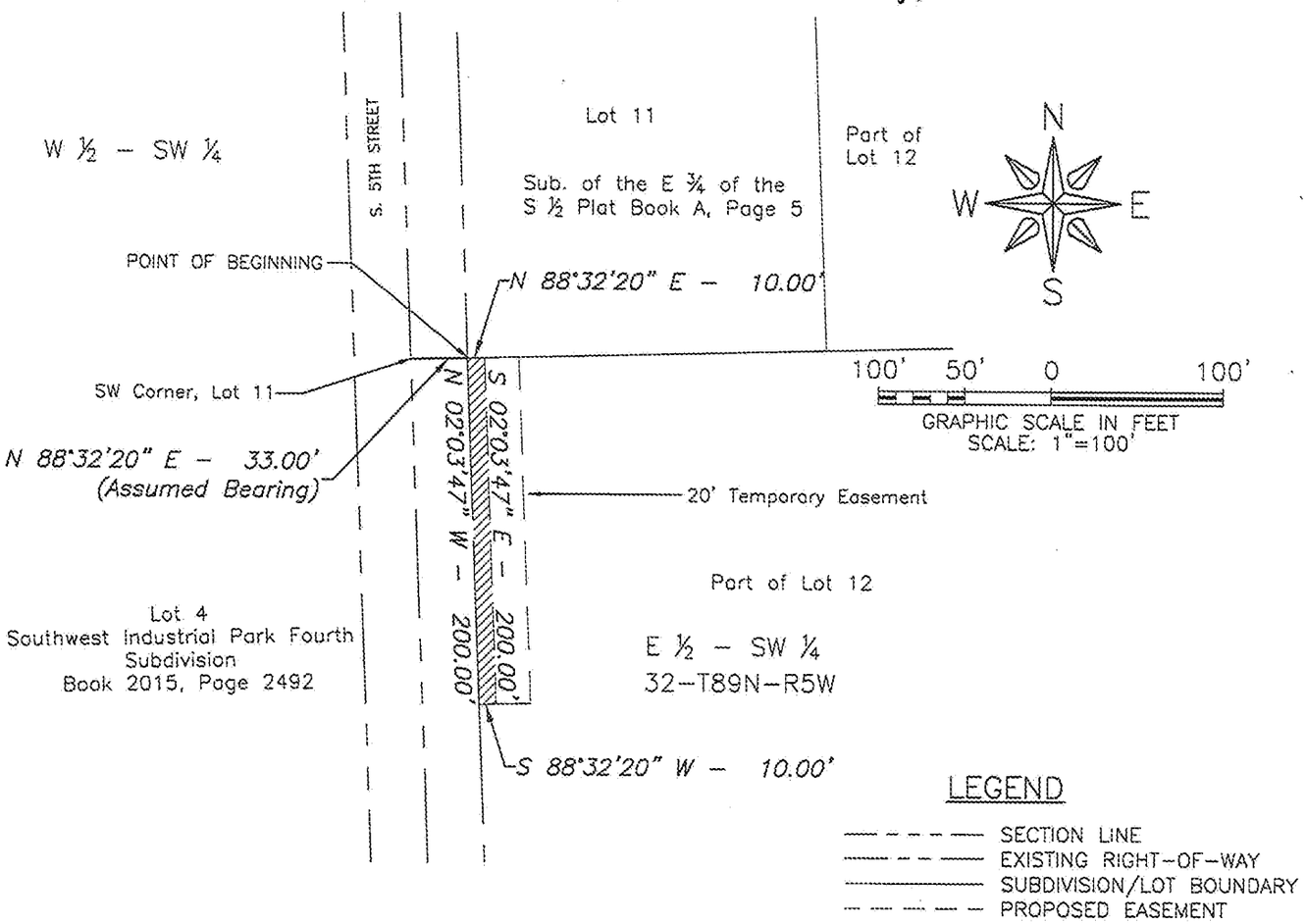
Laura L Thomas
Notary Public in and for the State of Iowa

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

Easement Plat

10' Permanent Water Main Easement in Part of Lot 12 of the Subdivision of the East 3/4 of the South 1/2 of Section 32-T89N-R5W City of Manchester, Delaware County, Iowa



LEGEND

- SECTION LINE
- EXISTING RIGHT-OF-WAY
- SUBDIVISION/LOT BOUNDARY
- PROPOSED EASEMENT

Permanent Water Main Easement, Being a 10 Foot strip of land located in the Southwest Quarter of Section 32, Township 89 North, Range 5 West of the 5th P.M., City of Manchester, Delaware County, Iowa, and more particularly described as follows:

Commencing at the Southwest Corner of Lot 11 of the Subdivision of the East 3/4 of the South 1/2 of Section 32, T89N, R5W of the 5th P.M. in Manchester, Iowa;

Thence North 88°32'20" East (Assumed Bearing), 33.00 Feet to the East Right-of-way Line of South 5th Street and the Point of Beginning;

Thence continuing North 88°32'20" East, 10.00 Feet;

Thence South 02°03'47" East, 200.00 Feet;

Thence South 88°32'20" West, 10.00 Feet to the East Right-of-way Line of South 5th Street;

Thence North 02°03'47" West, 200.00 Feet along the East Right-of-way Line of South 5th Street to the Point of Beginning;

Containing 0.046 Acre, subject to other easements of record.

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 10-19-15
License Number: 7060
My license renewal date is December 31, 2016.
Sheets covered by this seal: This Sheet Only

FEHR GRAHAM
ENGINEERING & ENVIRONMENTAL
2014 FEHR GRAHAM

ILLINOIS
IOWA
WISCONSIN

G:\C3D\15\15-768\13-875 Survey.dwg

PROPRIETOR:
Innovative Ag Services Co.
REQUESTED BY:
City of Manchester

JOB NUMBER: 15-768

SHEET NUMBER: 1