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Daneen Schindler, RECORDER/REGISTRAR
DELAWARE COUNTY IOWA

49-150 1999-1332 2017-3295 2017-3383

ENCROACHMENT AND EASEMENT AGREEMENT
Recorder's Cover Sheet

Preparer Information: Jane E. Hanson, 401 East Main Street, Manchester, IA 52057, Phone: (563) 927-5920

Taxpayer Information: Brenda Verrips, 1023 N Franklin Street, Manchester, Iowa 52057

Return Address: Brenda Verrips, 1023 N Franklin Street, Manchester, Iowa 52057

Grantors: Marla S. Schiess

Grantees: Brenda Verrips

Legal Description: See Page 2

Document or instrument number if applicable:

ENCROACHMENT AND EASEMENT AGREEMENT

WHEREAS, Marla S. Schiess, a single person, is the owner of the following described real estate:

> All that part of Orchard Lot, Henry Acers' Addition to Manchester, Iowa, according to plat recorded in Book 1 Plats, Page 1, described as commencing at a point One Hundred Seventy-nine and one-half (179 1/2) feet South of the Northwest corner of said Orchard Lot, running thence South seventy seven (77.0) feet, thence East One Hundred Forty (140.0) feet, thence North seventy seven (77.0) feet to a point one hundred seventy nine and one half (179 ½) feet South of North line of said Orchard Lot, thence West one hundred Forty (140.0) feet to the East line of Franklin Street, being the place of beginning

hereinafter referred to as Schiess property; and

WHEREAS, Brenda Verrips, a single person, is the owner of the following described real estate:

> All that part of Orchard Lot, Henry Acers' Addition to Manchester, Iowa, according to plat recorded in Book 1 Plats, Page 1, described as follows, to wit: Commencing at a point One Hundred Twenty (120) feet South of the Northwest corner of said Orchard Lot, running thence South Fifty-nine and one-half (59 1/2) feet, thence East One Hundred Forty (140) feet, thence North Fifty-nine and one-half (59 1/2) feet, thence West One Hundred Forty (140) feet to the place of beginning, said point of beginning being on the East line of Franklin Street in said City

hereinafter referred to as Verrips property; and

WHEREAS there is a garage and driveway owned by Brenda Verrips which encroaches on the Schiess property by approximately six (6) inches and the parties are desirous of acknowledging the encroachment and entering into an agreement for its maintenance and use and an easement authorizing the encroachment.

For the consideration of one dollar and other good and valuable consideration, Marla S. Schiess does hereby grant and convey to Brenda Verrips, and her successors in interest, an easement over the following described real estate:

That portion of Schiess property where the existing garage and driveway encroach on the Schiess property along the north boundary

hereinafter referred to as easement property, and for continued location, maintenance and use of the garage and driveway owned by Brenda Verrips and encroaching on the Schiess property.

Marla S. Schiess, as grantor, hereby covenants that she holds legal and equitable title to the above descrived real estate, she has good and lawful authority to grant and convey the aforementioned easement and this easement shall be binding upon her successors in interest.

By her execution of this Encroachment and Easement Agreement, Brenda Verrips, and her successors in interest, covenants and agreement that she will maintain said garage and driveway and the aforementioned easement and will hold harmless the owners of the Schiess property from any and all liability arising out of the maintenance or use of the garage and driveway and the easement property granted herein. Verrips further agrees that in the event the encroaching garage and/or driveway is destroyed or needs to be replaced its location will be moved completely onto the Verrips property.

DATED this 12th day of ~~November~~ December, 2017.

Brenda Verrips
Brenda Verrips

Marla S Schiess
Marla S. Schiess

STATE OF IOWA, COUNTY OF DELAWARE, ss:

This record was acknowledged before me on ~~November~~ December 12, 2017, by Brenda Verrips, a single person.

DACIA WINSTON
Commission Number 792932
My Commission Expires
October 29, 2018

Signature of Notary Public

STATE OF IOWA, COUNTY OF DELAWARE, ss:

This record was acknowledged before me on ~~November~~ December 12, 2017, by Marla S. Schiess, a single person.

DACIA WINSTON
Commission Number 792932
My Commission Expires
October 29, 2018

Signature of Notary Public