Recorded: 3/13/2020 at 11:45:09.0 AM
County Recording Fee: $22.00
Iowa E-Filing Fee: $3.00
Combined Fee: $25.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2020 PG: 678

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

PERPETUAL SIDEWALK EASEMENT

PARCEL NO.	28	**COUNTY**	Delaware
PROJECT NO.	NHSN-013-2(44)--2R-28	**ROAD NO.**	IA13

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 Michael & Deborah Peyton 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, transfer and convey unto the Grantee, its successors and assigns, a perpetual easement as described below. 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:

A trapezoidal area on the southeast corner of the parcel described in the warranty deed – joint tenancy found in book 2017 page 1908 in the office of the Delaware County Recorder, more specifically described as beginning at the southeast corner of said parcel, thence north along the North Franklin Street right-of-way 26.0 feet, thence west 2.0 feet then southwesterly 26.1 feet more or less to the north right-of-way line of Seeley Street and a point 4.0 feet west of the southeast corner of said lot, then east 4.0 feet along the north right-of-way of Seeley Street to the west right-of-way of North Franklin Street and the point of beginning.

As shown on attached exhibit and in project plans, Sheet H.06.
Containing **78.0 square feet**, subject to other easements of record.

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 expire upon the completion of the project and acceptance of the improvement by the Grantee.

An additional Temporary Construction Easement, as shown on the attached exhibit and in the project plans, sheet H.06. Containing 130.6 square feet, 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 25th day of Dec. 2019.

GRANTOR ACKNOWLEDGEMENT

We, Michael & Deborah Peyton, do hereby acknowledge and approve the above Description and attached Exhibit.

GRANTORS

Michael Peyton

Deborah Peyton

INDIVIDUAL ACKNOWLEDGMENT

State of Iowa)
) SS.
County of Delaware)

On this 25 day of October, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Michael & Deborah Peyton, 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.

JESSICA KELLY
Commission Number 778660
My Comm. Exp. 5-28-22

Notary Public in and for the State of Iowa

GRANTEE ACKNOWLEDGEMENT

CITY SEAL

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Erin Learn

Erin Learn, City Clerk

STATE OF IOWA)

) SS.

COUNTY OF DELAWARE)

On this 10 day of December, 2019, before me, Laura K Thomas, a Notary Public in and for the State of Iowa, personally appeared Milt L. Kramer and Erin Learn, 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 Manchester, 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 R-138-2019 adopted by the City Council on the 9 day of December, 2019, and that Milt L. Kramer and Erin Learn 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.

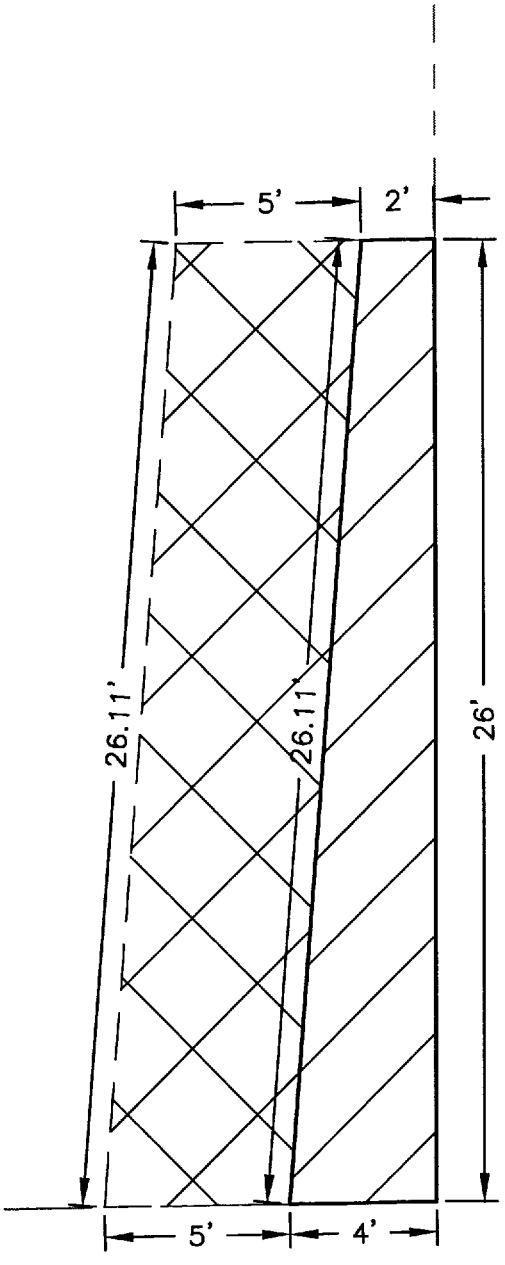
Laura K Thomas

Notary Public in and for the State of Iowa

NOTARIAL SEAL IOWA

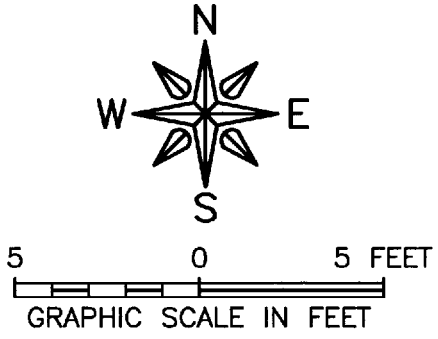
LAURA K. THOMAS
Commission Number 718135
My Commission Expires
August 26, 2020

PERMANENT & TEMPORARY EASEMENT EXHIBIT
EASEMENT #28
CITY OF MANCHESTER, DELAWARE COUNTY, IOWA



SEELEY STREET

HWY 13 (N. FRANKLIN STREET)



PERMANENT SIDEWALK EASEMENT

TEMPORARY CONSTRUCTION EASEMENT

PERMANENT & TEMPORARY EASEMENT #28

COUNTY: DELAWARE
CITY: MANCHESTER
PROPRIETOR: MICHAEL AND DEBORAH PEYTON
PROPRIETOR ADDRESS: 204 E. UNION STREET
PROPERTY ADDRESS: 1000 N. FRANKLIN STREET
PERMANENT EASEMENT AREA IN Sq. Ft.: 78.0
TEMPORARY EASEMENT AREA IN Sq. Ft.: 130.6
REQUESTED BY: CITY OF MANCHESTER

G:\C3D\18\18-675 IA 13 Imp\Plans\18-675 H Sheets.dwg, EXHIBIT 28

FEHR GRAHAM
ENGINEERING & ENVIRONMENTAL
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ILLINOIS
IOWA
WISCONSIN

JOB NUMBER: 18-675

SHEET NUMBER: 1 of 1

PLOT DATE: 10/7/19