Recorded: 11/3/2020 at 3:06:03.0 PM
County Recording Fee: $17.00
Iowa E-Filing Fee: $3.32
Combined Fee: $20.32
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2020 PG: 3954

Prepared by/Return to: FEHR GRAHAM, 221 East Main Street, Suite 301, Manchester, IA 52057 - Ph. (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 Marvin D. Eisenbarth, hereinafter referred to as Grantor, by City of Delhi 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 10-foot wide utility easement. The Grantee shall have the right to construct, operate, inspect, repair, maintain and replace public utility over, across and through the land of the Grantor, situated in the City of Delhi, Delaware County, Iowa, said land being as follows:

Utility Easement in the West 10 foot of Vacated 7th Street between Block 13 and Block 14 in Hobbs Addition to Delhi, City of Delhi, Delaware County, Iowa.

And said easement being as follows:

SEE "Exhibit A".

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.

Dated this 9 day of October 2020.

GRANTOR ACKNOWLEDGEMENT

GRANTOR

State of Iowa)
ss.
County of Delaware)

On this 9 day of October, 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Marvin D. Eisenbarth, to me known to be the person named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Notary Public

NOTARIAL SEAL IOWA
LORI A. TUCKER
COMMISSION NUMBER 778965
MY COMMISSION EXPIRES
6/20/2022

GRANTEE ACKNOWLEDGEMENT

CITY OF DELHI

By: Greg Preussner
Greg Preussner, Mayor

By: Lori Tucker
Lori Tucker, City Clerk

(MUNICIPAL SEAL)

State of Iowa)
) SS.
County of Delaware)

On this 12 day of October, 2020, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Greg Preussner and Lori Tucker, to me personally known, did say that they are the Mayor and City Clerk, respectively, of the City of Delhi, 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. _____ passed by Resolution of the City Council under Roll Call No. _____ of the City Council~~ on the 12 day of October, 2020, and Greg Preussner and Lori Tucker 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.

Nancy S Preussner
Notary Public in and for the State of Iowa

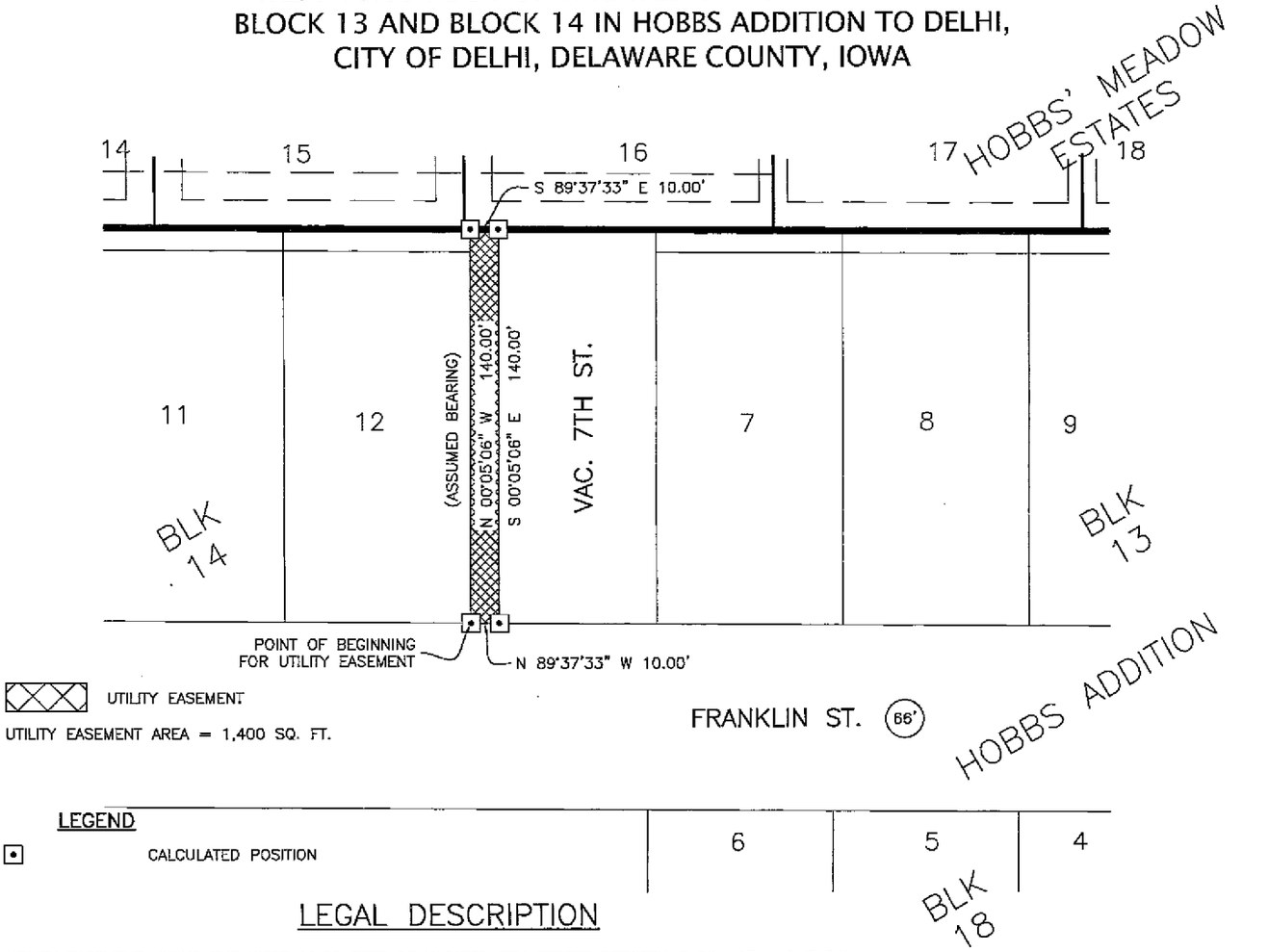
NANCY S. PREUSSNER
Commission Number 143496
My Commission Expires
6-7-2023

"EXHIBIT A"

RECORDER'S INDEX
COUNTY: DELAWARE
SECTION: 17–T88N–R4W
QUARTER SECTION: SW1/4
CITY: DELHI
SUBDIVISION: HOBBS' MEADOWS ESTATES
BLOCK: N/A
LOT(S): VACATED 7TH ST.
PROPRIETOR: MARVIN D. EISENBARTH
REQUESTED BY: CITY OF DELHI

PREPARED BY/RETURN TO: FEHR GRAHAM, 221 E. MAIN ST., SUITE 301, MANCHESTER, IA. 52057 – Ph: (563)927–2060

UTILITY EASEMENT PLAT
WEST 10.00 FOOT OF VACATED 7TH STREET BETWEEN BLOCK 13 AND BLOCK 14 IN HOBBS ADDITION TO DELHI, CITY OF DELHI, DELAWARE COUNTY, IOWA



LEGAL DESCRIPTION

UTILITY EASEMENT, BEING THE WEST 10.00 FEET OF VACATED 7TH STREET BETWEEN BLOCK 13 AND BLOCK 14 IN HOBBS ADDITION TO DELHI, DELAWARE COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 12 OF BLOCK 14 IN HOBBS ADDITION TO DELHI, RECORDED IN LAND DEEDS BOOK D, PAGES 516–517 IN THE DELAWARE COUNTY RECORDER'S OFFICE, MANCHESTER, IOWA IN SAID SECTION;

THENCE **NORTH 00°05'06" WEST (ASSUMED BEARING), 140.00 FEET** ALONG THE EAST LINE OF SAID LOT 12 AND ITS EXTENSION TO THE SOUTH LINE OF HOBBS' MEADOWS ESTATES;

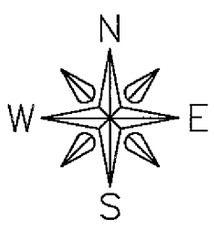
THENCE **SOUTH 89°37'33" EAST, 10.00 FEET** ALONG SAID SOUTH LINE;

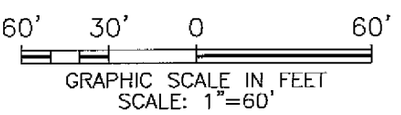
THENCE **SOUTH 00°05'06" EAST, 140.00** FEET TO THE SOUTH LINE OF VACATED 7TH STREET BETWEEN BLOCK 13 AND BLOCK 14 OF SAID HOBBS ADDITION;

THENCE **NORTH 89°37'33" WEST, 10.00** FEET ALONG SAID SOUTH LINE TO THE POINT OF BEGINNING;

CONTAINING **1,400 SQUARE FEET**, SUBJECT TO OTHER EASEMENTS AND RESTRICTIONS OF RECORD.

REFERENCE IS HEREBY MADE TO A PLAT AND SURVEY MADE BY JOEL BAILEY, RECORDED AUGUST 16, 1854, IN LAND DEEDS BOOK D, PAGE 516–517; TO A PLAT AND SURVEY MADE BY ADAM J. RECKER, RECORDED FEBRUARY 27, 2020, IN BOOK 2020, PAGE 536; BOTH ON FILE IN THE DELAWARE COUNTY RECORDER'S OFFICE, MANCHESTER, IOWA.





GRAPHIC SCALE IN FEET
SCALE: 1"=60'

PROFESSIONAL LAND SURVEYOR
ADAM J. RECKER
24627
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.

Adam J. Recker — 9-11-2020

Adam J. Recker, P.L.S. — Date
License Number: 24627
My license renewal date is December 31, 2021.
Sheets covered by this seal: THIS SHEET ONLY.

FEHR GRAHAM
ENGINEERING & ENVIRONMENTAL
©2020 FEHR GRAHAM

ILLINOIS
IOWA
WISCONSIN

G:\C3D\19\19–258 Hobbs Meadows Sub\19–258 LEGAL.dwg

JOB NUMBER: 19–258

SHEET NUMBER: 1 of 1