Recorded: 12/16/2020 at 8:52:59.0 AM
County Recording Fee: $17.00
Iowa E-Filing Fee: $3.00
Combined Fee: $20.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2020 PG: 4636

Prepared by/Return to: James T. Peters, 309 First Street East, Independence, IA 50644, Phone: (319) 334-9992

TRANSFER AND AMENDMENT OF UTILITY EASEMENT

This agreement made on the date shown below between City of Manchester, Iowa and Wall Leasing, LLC for the purpose of transferring rights under a utility easement.

The parties agree as follows:

1. That the City has a utility easement which was dated November 18, 1996 and recorded in the office of the Delaware County Recorder in Book 6, Page 221 on November 22, 1996.

2. The above referenced easement granted the City of Manchester, Iowa a permanent easement for utilities specifically addressing a sanitary sewer easement granted to the City which \is 30 feet in width and centered on a line described as follows:

   Commencing at a point North 41°30' West 641.9 feet from the SW Corner of said Lot 14, thence along the northerly line of said Parcel North 43°55' East 187.1 feet, thence continuing along the northerly line of said Parcel North 69°15' East to the centerline of a proposed sanitary sewer, 314 feet, the POINT OF BEGINNING;
   THENCE along the centerline of a proposed sanitary sewer South 00°18'07" East 325 feet.

3. That the parties have determine the current sanitary sewer main located within the easement described above should be transferred to Wall Leasing, LLC for continued use as a sanitary sewer service line.

4. It appears that no other properties are served by the sewer main located within the above described easement and continued use of the sewer line as a sanitary sewer service line is appropriate.

5. The City of Manchester hereby transfers to Wall Leasing, LLC all rights that it has to the easement recorded in the office of the Delaware County Recorder in Book 6, Page 221 on November 22, 1996.

6. The City further grants and conveys to Wall Leasing, LLC all rights, responsibilities, and title to the sanitary sewer main located within the easement described above.

7. Wall Leasing, LLC accepts the transfer of the easement and sanitary sewer main for use by Wall Leasing, LLC, its successors and assigns as a sanitary sewer service line.

8. Wall Leasing, LLC agrees to assume all responsibility for maintenance, repair, and operation of the sanitary sewer line located within the easement area and shall assume and hold the City of Manchester, Iowa, its agents, and assigns harmless from all obligations which may arise from the use and operation of the sewer main referred to above.

CITY SEAL

Milt L. Kramer
BY: MILT L. KRAMER, MAYOR
City of Manchester

SUBSCRIBED AND SWORN before me by MILT L. KRAMER this 16 day of DECEMBER, 2020.

Laura K. Thomas
NOTARY PUBLIC in and for the State of Iowa

LAURA K THOMAS
Commission Number 718135
My Commission Expires
August 26, 2023

Steven J. Wall
BY:
Wall Leasing, LLC

SUBSCRIBED AND SWORN before me by Steven J. Wall this 28th day of November, 2020.

Winnie Mae Vernon
NOTARY PUBLIC in and for the State of Iowa

WINNIE MAE VERNON
Commission Number 707242
My Commission Expires
03-15-2022

CITY OF MANCHESTER, IOWA

Milt L. Kramer

Milt L. Kramer, Mayor

ATTEST:

Erin Learn

Erin Learn, City Clerk

CITY OF MANCHESTER, IOWA
CITY SEAL

State of Iowa)
) ss.
County of Delaware)

On this 16th day of December, 2020, 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 160-2020 adopted by the City Council on the 14th day of December, 2020, 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

Laura K. Thomas, Notary Public

NOTARIAL SEAL IOWA
LAURA K THOMAS
Commission Number 718135
My Commission Expires
August 26, 2023