



**Book 2023 Page 2363**

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Date 9/20/2023 Time 3:27:56PM  
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Daneen Schindler, RECORDER/REGISTRAR  
DELAWARE COUNTY IOWA

**LEASE FOR LAND FOR RESIDENTIAL DECK PURPOSES**  
**Recorder's Cover Sheet**

**Preparer Information:** James T Peters, 309 First St. E, Independence, IA 50644, Phone: 319-334-9992

**Taxpayer Information:** Delhi Lakeview Estate, Inc., 21708 259th St., Delhi, Iowa 52223

**Return Document To:** James T Peters, 309 First St. E, Independence, IA 50644

**Grantors:** Delhi Lakeview Estates, Inc

**Grantees:** Sheila Tibbott

**Document or instrument number of previously recorded documents:**

## **Lease for Land for Residential Deck Purposes**

### **Parties to Agreement.**

Lessor: Delhi Lakeview Estates Inc  
21708 259<sup>th</sup> St  
Delhi, Iowa 52223

Lessee: Sheila Tibbott  
800 E Main St.  
Manchester, Iowa 52057

Pending DLE Association approval on May 29, 2023.

### **Property Owned by Parties Subject to Agreement**

Exhibit A describes the property owned by Lessor that is subject to this agreement.

Exhibit B describes the property owned by Lessee that is subject to this agreement.

Whereas Delhi Lakeview Estates, Inc is the owner of real estate described on Exhibit A attached hereto: and

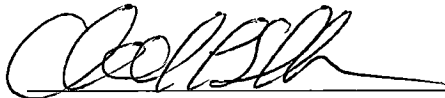
Whereas Sheila Tibbott is the owner of real estate described on Exhibit B attached hereto: and

Whereas the property owned by Sheila Tibbott has a wooden deck structure that extends onto Delhi Lakeview Estates property.

In consideration of the terms and conditions contained herein the parties agree as follows:

1. Delhi Lakeview Estates leases to Sheila Tibbott that portion of the real estate owned by it as shown on Exhibit A attached hereto sufficient to include the location of the wooden deck extending from property owned by Sheila Tibbott.
2. Delhi Lakeview Estates retains the absolute right and authority to have access to the property located under the deck for the purpose of inspection, maintenance, replacement or repair of septic tanks located under the deck. Delhi Lakeview Estates shall have sole discretion in determining whether such repairs, maintenance, or replacement is needed. In the event repairs, maintenance or replacement requires removal of all or a portion of the deck located upon land owned by Lakeview Estates, Delhi Lakeview Estates shall exercise reasonable care in making repairs to limit or avoid damage to the deck.
3. This lease and septic easement(recorded on 3-23-2009 Book 2009 page 1159 shall terminate upon removal of the septic tank from its present location.

- 4 This lease shall not be considered to run with the land. In the event either party sells, conveys, or transfers their interest in the property described above, the lease and septic easement stated above shall be terminated, and proper notice of termination of 30 days. The lease shall be subject to transfer to the heirs or beneficiaries of Sheila Tibbott.
- 5 Sheila Tibbott shall maintain liability insurance for recreational use of the deck subject to this lease and shall name Delhi Lakeview Estates as an additional insured on the policy. Delhi Lakeview Estates shall maintain liability insurance for issues or claims related to the septic system.
- 6 Sheila Tibbott shall pay the sum of \$21.65 plus \$1 to Delhi Lakeview Estates on or before May 1 2023 and the first day of May each year thereafter until this lease is terminated. The tax amount will be prorated depending on what the taxes are for the current year.
- 7 Sheila Tibbott shall maintain the deck in good condition and shall not extend or increase the area of the deck extending upon the property owned by Delhi Lakeview Estates, Inc as described on Exhibit A. The current deck encroaches upon the property owned by Delhi Lakeview Estates as described below:



President of Delhi Lakeview Estates Inc.

STATE OF IOWA, COUNTY OF Delaware Co, SS:

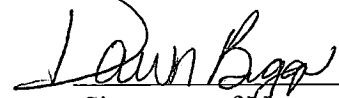
This record was acknowledged before me on 5/20/2023, by Chad L. Staten as Chad L. Staten president of Delhi Lakeview Estates Inc.



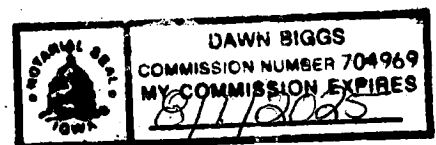
Sheila Tibbott

STATE OF IOWA, COUNTY OF Delaware Co, SS:

This record was acknowledged before me on 5/20/2023, by Sheila Tibbott.



Signature of Notary Public



Sheila Tibbott  
PIN 250 24 02 089 10  
25901 218<sup>th</sup> Ave  
Delhi, Iowa 52223

Owner address  
Sheila Tibbott  
800 E Union St.  
Manchester, Iowa 52057

Description of property

Exhibit B

Parcel 'J', being part of Lots 89 and 90 in Camp-O-Delhi, A Subdivision of the Southwest Quarter of the Southeast Quarter of Section 24, Township 88 North, Range 5 West of the 5th P.M., Delaware County, Iowa per plat recorded in Book 2002, Page 3982

AND

Parcel 'K' of part of Lot 89 in Camp-O-Delhi, a subdivision of the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 24, T88N, R5W of the 5th P.M. Delaware County, Iowa according to plat recorded in Book 2005, Page 2375

Title holder  
Delhi Lakeview Estates, Inc  
PIN 250 240208900  
25911 218<sup>th</sup> Ave  
Delhi, Iowa 52223

Owner address  
Delhi Lakeview Estate Inc  
21708 259<sup>th</sup> St  
Delhi, Iowa 52223

Description of property(Exhibit A)

That part of Lot Eighty Nine (89) of Camp-O-Delhi, a Subdivision of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section Twenty Four (24), Township Eighty Eight (88) North, Range Five (5), West of the Fifth P.M., in Delaware County, Iowa, according to plat recorded in Book 5 Plats, Page 78, described as commencing at the Northwesternly corner of said Lot Eighty Nine (89), thence South 12° 29' 14" West forty nine and sixty six hundredths (49.66) feet to the point of beginning, thence South 12° 29' 14" West forty five (45) feet to the Southwesterly corner of said Lot Eighty Nine (89), thence South 71° 2' 49" East seventeen and sixty eight hundredths (17.68) feet, thence South 79° 39' 36" East seventy four and six hundredths (74.06) feet to the Southeasterly corner of said Lot Eighty Nine (89), thence North 10° 42' 35" East fifty four and thirty nine hundredths (54.39) feet, thence North 78° 32' 37" West fifty nine and ninety nine hundredths (59.99) feet, thence South 11° 27' 29" West nine (9) feet, thence Westerly thirty one and seventy five hundredths (31.75) feet, more or less, to the point of beginning, except Parcel 'K' Of Part Of Lot 89 In Camp-O-Delhi, A Subdivision Of The SW $\frac{1}{4}$  Of The SE $\frac{1}{4}$  Of Section 24, T88N, R5W Of The 5th P.M., Delaware County, Iowa, according to plat recorded in Book 2005, Page 2375.