

WHEN RECORDED RETURN TO:

City of Ankeny
Attn: City Clerk
410 West First Street
Ankeny, IA 50023

Preparer Information: Adam L. Lust, City of Ankeny – Public Works, 220 West First Street, Ankeny, IA 50023 (515) 963-3537

TEMPORARY CONSTRUCTION EASEMENT

KNOW ALL BY THESE PRESENTS:

That Julian M. Galloway and Julie E. Galloway (hereinafter referred to as “Grantor”), in consideration of mutual benefit and other valuable consideration in hand paid by the City of Ankeny, Iowa upon final approval and acceptance of this easement do hereby convey unto the City of Ankeny, Iowa, a municipal corporation, in the County of Polk, State of Iowa (hereinafter referred to as “Grantee”), a temporary construction easement over, under, across, and through the following described real estate:

See Attached Exhibit “A”

That said easement is granted unto the City of Ankeny, Iowa, for the purpose of the access, construction, installation, and maintenance of the following described public improvement:

NW IRVINEDALE DRIVE AND NW 5TH STREET INTERSECTION IMPROVEMENTS

In connection herewith it is specifically agreed that by this easement, the Grantee shall have the right to enter upon said premises as shall be necessary to construct, inspect, and repair, any and all of said improvements and all appurtenances thereto, together with the right to use said improvements as it deems necessary.

The Grantee shall restore said described land to a satisfactory condition after construction and/or repair in satisfactory condition pursuant to the plan for the public improvement.

This easement shall be for the period of time necessary to construct this improvement and will expire upon the date of final acceptance of the project by the City Council of the Grantee; provided, however, the Grantee shall have the right to access the real estate after said date for the sole purpose of seeding and surface restoration. Such access shall not interfere with the rights of the Grantor to the use and enjoyment of said real estate.

That the Grantor does hereby covenant with the said Grantee, that said Grantor holds said real estate by title and fee simple; that it has good and lawful authority to grant this Easement, subject to restrictive covenants, easements, encumbrances, and liens of record.

IN WITNESS WHEREOF, we have hereunto affixed our hands this Feb 1st ~~15th~~ day of February, 2018.

By: [Signature] Julian M. Galloway
By: [Signature] Julie E. Galloway

STATE OF IOWA, COUNTY OF POLK, ss:

On the 1st day of February, 2018, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Julian M. Galloway and Julie E. Galloway, to me known to be the person(s) named in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as a voluntary act and deed.

[Signature]
Notary Public in and for the State of Iowa

My Commission Expires _____



ACCEPTANCE BY CITY

STATE OF IOWA, COUNTY OF POLK, ss:

I, Pamela DeMouth, City Clerk of the City of Ankeny, Iowa, do hereby certify that the within and foregoing instrument was duly approved and accepted by the City Council of said City by Resolution No. _____, passed on the _____ day of _____, 2018, and this certificate is made pursuant to authority contained in said Resolution.

Signed this _____ day of _____, 2018.

City Clerk of the City of Ankeny, Iowa

ACQUISITION PLAT
OF TEMPORARY EASEMENT BEING
CONVEYED TO THE CITY OF ANKENY
EXHIBIT "A"

PREPARED FOR

CITY OF ANKENY, IOWA
PUBLIC WORKS DEPARTMENT
220 W 1ST STREET
ANKENY, IOWA 50023

PROPRIETOR

JULIAN M GALLOWAY
JULIE E GALLOWAY
3005 NW 5TH ST
ANKENY, IA 50023

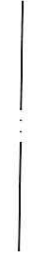
LEGEND

P.O.B.

POINT OF BEGINNING



SUBJECT ACQUISITION AREA



EXISTING BOUNDARY LINE



EXISTING EASEMENT LINE



NORTH



SCALE

SUBJECT PROPERTY LEGAL DESCRIPTION

LOT 8, GOLF VIEW ACRES PLAT 2, AN OFFICIAL PLAT, LOCATED IN THE CITY OF ANKENY, POLK COUNTY, IOWA.

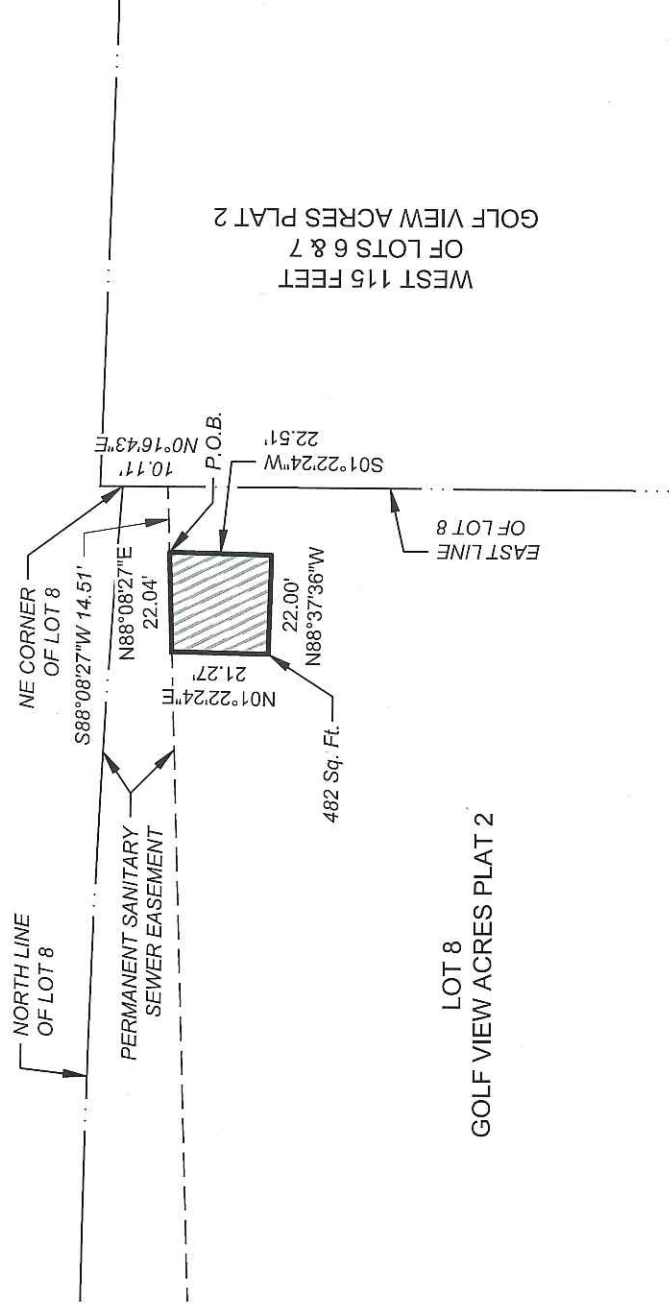
DESCRIPTION OF TEMPORARY EASEMENT

THAT PART OF LOT 8, GOLF VIEW ACRES PLAT 2, AN OFFICIAL PLAT, LOCATED IN THE CITY OF ANKENY, POLK COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 8; THENCE SOUTH 00 DEGREES 16 MINUTES 43 SECONDS WEST, A DISTANCE OF 10.11 FEET; THENCE SOUTH 88 DEGREES 08 MINUTES 27 SECONDS WEST, A DISTANCE OF 14.51 FEET, TO THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREE 22 MINUTES 24 SECONDS WEST, A DISTANCE OF 22.51 FEET; THENCE NORTH 88 DEGREES 37 MINUTES 36 SECONDS EAST, A DISTANCE OF 21.27 FEET; THENCE NORTH 01 DEGREE 22 MINUTES 24 SECONDS EAST, A DISTANCE OF 21.27 FEET; THENCE NORTH 88 DEGREES 08 MINUTES 27 SECONDS EAST, A DISTANCE OF 22.04 FEET, TO THE POINT OF BEGINNING.

CONTAINING 482 SQUARE FEET MORE OR LESS.

NW 5TH STREET



LOT 8
GOLF VIEW ACRES PLAT 2

WEST 115 FEET
OF LOTS 6 & 7
GOLF VIEW ACRES PLAT 2

1250 SW STATE STREET
SUITE A
ANKENY, IOWA
50023-2555
(515) 965-0193 phone
(515) 965-3322 fax
www.nillesinc.com

NILLES ASSOCIATES

PROJECT: NW IRVINEDALE DRIVE & NW 5TH STREET
INTERSECTION IMPROVEMENTS

LOCATION:

ANKENY, IOWA

NAI No.:
17029

DATE:

11/29/17

DRAWN BY:

TJH

CHECKED BY:

JPN

DWG No.:

1/1

SHEET TITLE:

EX-1

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