

**WHEN RECORDED RETURN TO:**

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

**Preparer Information:**

Civil Design Advantage  
3405 SE Crossroads Drive, Suite G  
Grimes, IA 50111  
(515) 369-4400

**TEMPORARY CONSTRUCTION EASEMENT**

**KNOW ALL BY THESE PRESENTS:**

That Deer Creek Estates, LLC (hereinafter called "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 called "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:

**Deer Creek Trunk Sanitary Sewer Extension**

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 as per plan.

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.

The Grantor does hereby covenant with the said Grantee, and successors in interest, that said Grantor holds said real estate by title and fee simple; that they have good and lawful authority to sell and convey the same; that said premises are free and clear of all liens and encumbrances whatsoever except as may be herein stated; that said Grantor covenants to warrant and defend the said premises against the lawful claims of all persons whomsoever, except as may be herein stated.

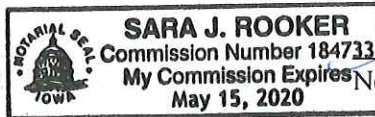
IN WITNESS WHEREOF, we have hereunto affixed our hands this 12<sup>th</sup> day of February, 2019.

GRANTOR:

By: [Signature]  
Grantor's name

STATE OF IOWA )  
 ) ss:  
COUNTY OF POLK )

On the 12<sup>th</sup> day of February, 2019, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared E. Bradley Skinner and \_\_\_\_\_ 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 5-15-20

ACCEPTANCE BY CITY

STATE OF IOWA )  
 ) ss:  
COUNTY OF POLK )

I, Deb Arend, Interim City Clerk of the City of Ankeny, Iowa, do hereby certify that the within and foregoing Easement was duly approved and accepted by the City Council of said City by Resolution No. \_\_\_\_\_, passed on the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and this certificate is made pursuant to authority contained in said Resolution.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Interim City Clerk of the City of Ankeny, Iowa



**EXHIBIT 'A' - EASEMENT PLAT****TEMPORARY CONSTRUCTION EASEMENT DESCRIPTION**

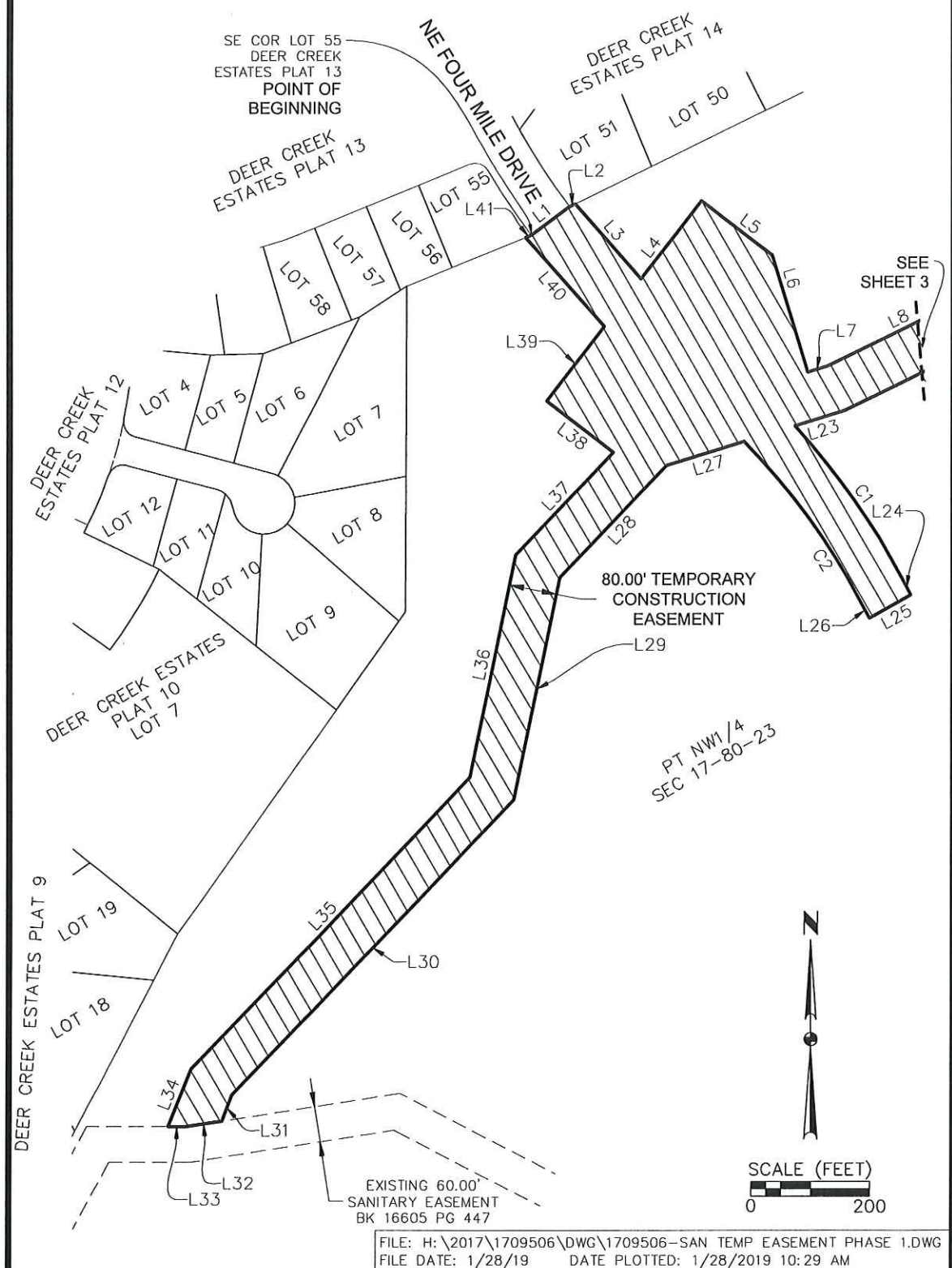
A PART OF THE NORTHWEST QUARTER OF SECTION 17, TOWNSHIP 80 NORTH, RANGE 23 WEST OF THE FIFTH PRINCIPAL MERIDIAN IN THE CITY OF ANKENY, POLK COUNTY, IOWA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 55, DEER CREEK ESTATES PLAT 13, AN OFFICIAL PLAT; THENCE NORTH 53°10'32" EAST ALONG THE SOUTHERLY LINE OF SAID DEER CREEK ESTATES PLAT 13, A DISTANCE OF 80.00 FEET TO THE SOUTHERLY CORNER OF LOT 51, DEER CREEK ESTATES PLAT 14, AN OFFICIAL PLAT; THENCE NORTH 63°48'06" EAST ALONG THE SOUTHERLY LINE OF SAID LOT 51, A DISTANCE OF 10.23 FEET; THENCE SOUTH 41°06'41" EAST, 168.32 FEET; THENCE NORTH 37°39'42" EAST, 166.40 FEET; THENCE SOUTH 52°20'18" EAST, 150.06 FEET; THENCE SOUTH 16°58'09" EAST, 205.83 FEET; THENCE NORTH 73°01'12" EAST, 34.80 FEET; THENCE NORTH 64°15'16" EAST, 299.76 FEET; THENCE NORTH 22°05'12" EAST, 358.91 FEET; THENCE NORTH 57°04'49" EAST, 388.68 FEET; THENCE NORTH 33°55'17" EAST, 341.03 FEET; THENCE NORTH 42°56'54" EAST 241.60 FEET; THENCE NORTH 68°59'18" EAST, 406.93 FEET; THENCE NORTH 00°09'11" WEST, 68.94 FEET TO THE NORTH LINE OF SAID NORTHWEST QUARTER; THENCE NORTH 89°50'49" EAST ALONG SAID NORTH LINE, 80.00 FEET; THENCE SOUTH 00°09'11" EAST, 124.06 FEET; THENCE SOUTH 68°59'09" WEST, 443.60 FEET; THENCE SOUTH 42°56'54" WEST, 216.75 FEET; THENCE SOUTH 33°55'16" WEST, 351.10 FEET; THENCE SOUTH 57°04'49" WEST, 379.86 FEET; THENCE SOUTH 22°05'12" WEST, 364.53 FEET; THENCE SOUTH 64°15'16" WEST, 336.74 FEET; THENCE SOUTH 73°01'12" WEST, 87.93 FEET; THENCE SOUTHEASTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 1240.00 FEET, WHOSE ARC LENGTH IS 319.28 FEET AND WHOSE CHORD BEARS SOUTH 35°00'11" EAST, 318.39 FEET; THENCE SOUTH 28°19'19" EAST, 28.15 FEET; THENCE SOUTH 60°58'58" WEST, 80.00 FEET; THENCE NORTH 28°19'19" WEST, 30.09 FEET; THENCE NORTHWESTERLY ALONG A CURVE CONCAVE SOUTHWESTERLY WHOSE RADIUS IS 1160.00 FEET, WHOSE ARC LENGTH IS 336.97 FEET AND WHOSE CHORD BEARS NORTH 35°56'55" WEST, 335.79 FEET; THENCE SOUTH 73°01'12" WEST, 136.30 FEET; THENCE SOUTH 43°22'29" WEST, 260.69 FEET; THENCE SOUTH 11°27'25" WEST, 383.15 FEET; THENCE SOUTH 43°44'48" WEST, 686.71 FEET; THENCE SOUTH 21°07'40" WEST, 47.54 FEET TO THE NORTHERLY LINE OF AN EXISTING SANITARY SEWER EASEMENT RECORDED IN BOOK 16605, PAGE 447; THENCE SOUTH 81°07'43" WEST ALONG SAID NORTHERLY LINE, 61.18 FEET; THENCE SOUTH 89°59'57" WEST CONTINUING ALONG SAID NORTHERLY LINE, 28.96 FEET; THENCE NORTH 21°07'40" EAST, 104.57 FEET; THENCE NORTH 43°44'48" EAST, 679.55 FEET; THENCE NORTH 11°27'25" EAST, 382.87 FEET; THENCE NORTH 43°22'19" EAST, 238.03 FEET; THENCE NORTH 52°20'17" WEST, 141.28 FEET; THENCE NORTH 37°39'42" EAST, 157.96 FEET; THENCE NORTH 41°17'05" WEST, 199.88 FEET; THENCE NORTH 67°49'02" EAST, 10.28 FEET TO THE POINT OF BEGINNING AND CONTAINING 10.45 ACRES (455,192 SQUARE FEET).

**LINE DATA**

L1	N53°10'32"E	80.00'	L14	N0°09'11"W	68.94'	L27	S73°01'12"W	136.30'
L2	N63°48'06"E	10.23'	L15	N89°50'49"E	80.00'	L28	S43°22'29"W	260.69'
L3	S41°06'41"E	168.32'	L16	S0°09'11"E	124.06'	L29	S11°27'25"W	383.15'
L4	N37°39'42"E	166.40'	L17	S68°59'09"W	443.60'	L30	S43°44'48"W	686.71'
L5	S52°20'18"E	150.06'	L18	S42°56'54"W	216.75'	L31	S21°07'40"W	47.54'
L6	S16°58'09"E	205.83'	L19	S33°55'16"W	351.10'	L32	S81°07'43"W	61.18'
L7	N73°01'12"E	34.80'	L20	S57°04'49"W	379.86'	L33	S89°59'57"W	28.96'
L8	N64°15'16"E	299.76'	L21	S22°05'12"W	364.53'	L34	N21°07'40"E	104.57'
L9	N22°05'12"E	358.91'	L22	S64°15'16"W	336.74'	L35	N43°44'48"E	679.55'
L10	N57°04'49"E	388.68'	L23	S73°01'12"W	87.93'	L36	N11°27'25"E	382.87'
L11	N33°55'17"E	341.03'	L24	S28°19'19"E	28.15'	L37	N43°22'19"E	238.03'
L12	N42°56'54"E	241.60'	L25	S60°58'58"W	80.00'	L38	N52°20'17"W	141.28'
L13	N68°59'18"E	406.93'	L26	N28°19'19"W	30.09'	L39	N37°39'42"E	157.96'
<b>CURVE DATA</b>						L40	N41°17'05"W	199.88'
CURVE	DELTA	RADIUS	LENGTH	BEARING	CHORD	L41	N67°49'02"E	10.28'
C1	14°45'09"	1240.00'	319.28'	S35°00'11"E	318.39'			
C2	16°38'38"	1160.00'	336.97'	N35°56'55"W	335.79'			

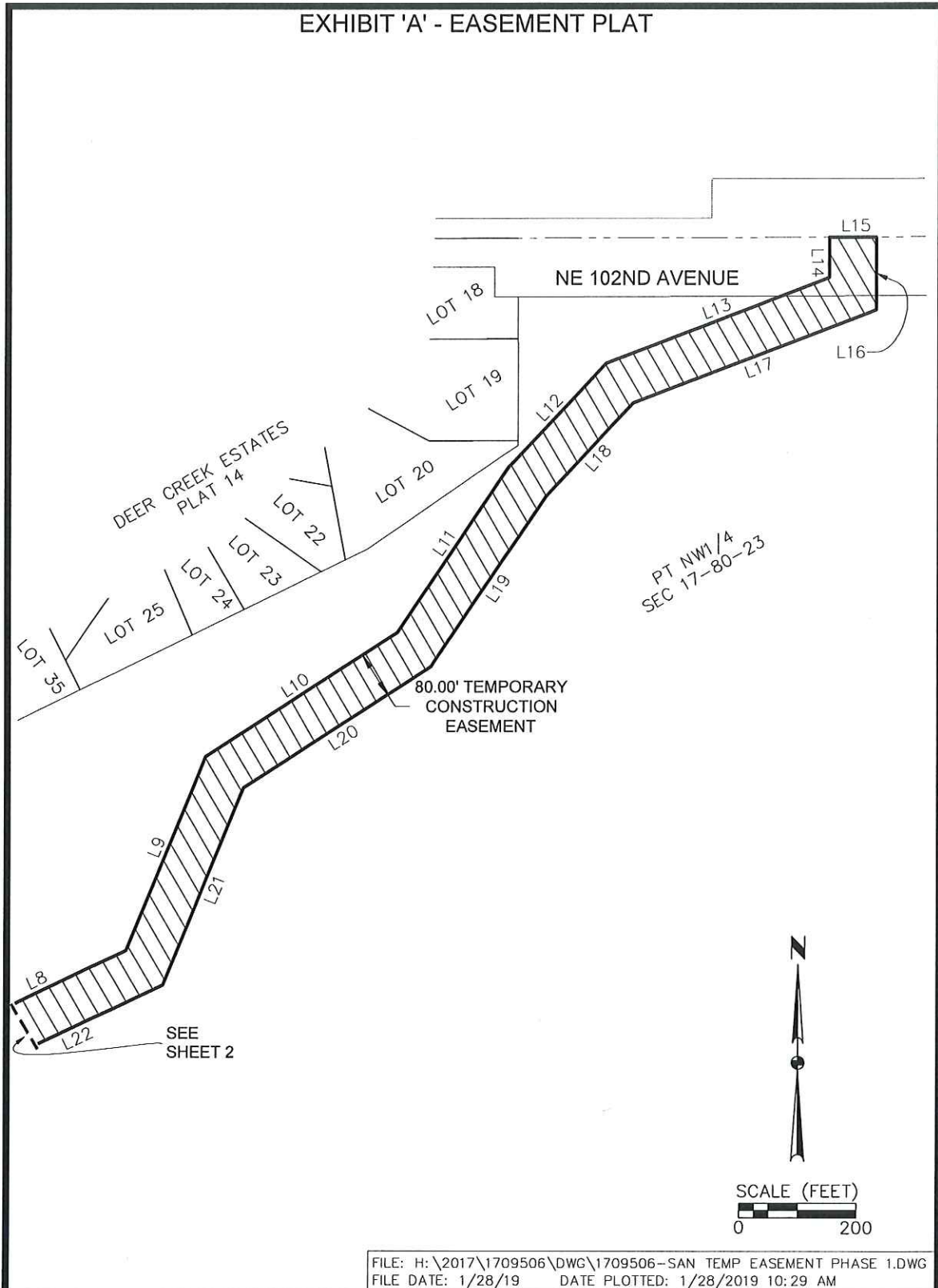
# EXHIBIT 'A' - EASEMENT PLAT



FILE: H:\2017\1709506\DWG\1709506-SAN TEMP EASEMENT PHASE 1.DWG  
 FILE DATE: 1/28/19 DATE PLOTTED: 1/28/2019 10:29 AM



EXHIBIT 'A' - EASEMENT PLAT





MARY ANN CORY  
3232 NE 102ND AVE



COUNTY

PROJECT NUMBER

1709.506	SHEET NUMBER
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