

RESOLUTION NO. 002 (2024/2025)

**A RESOLUTION ACCEPTING EASEMENT TO CONSTRUCT AND MAINTAIN
DRAINAGE BETWEEN THE CITY OF NEVADA, IOWA AND BRIAN E. SYKES AND
RHONDA S. SYKES**

WHEREAS, the City of Nevada is undertaking a SRF Sponsored Project (Project A – West Indian Creek) to construct and maintain drainage to address erosion concerns; and

WHEREAS, IT IS NECESSARY FOR THE City to obtain a permanent easement from certain property owners in and around West Indian Creek to begin and complete this project; and

WHEREAS, Brian E. Sykes and Rhonda S. Sykes, do hereby grant to the City of Nevada, Iowa a permanent easement to construct and maintain drainage in, to, on, over and across real estate in Story County, Iowa, as described in Exhibit A of the attached easement; and

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Nevada, Iowa, that:

1. The Easement to Construct and Maintain Drainage by and between the City of Nevada, Iowa, and Brian E. Sykes and Rhonda S. Sykes in the forms attached hereto is hereby accepted.

PASSED AND APPROVED this 8th day of July, 2024.

Brett Barker, Mayor

ATTEST:

Kerin Wright, City Clerk

EASEMENT TO CONSTRUCT AND MAINTAIN DRAINAGE

For the consideration of one dollar and no/100 --(\$1.00) -- and other valuable consideration in hand paid by the **BRIAN E. SYKES AND RHONDA S. SYKES, HUSBAND AND WIFE, AS JOINT TENANTS WITH FULL RIGHTS OF SURVIVORSHIP, AND NOT AS TENANTS IN COMMON**, do hereby grant to the City of Nevada, Iowa a permanent easement to construct and maintain drainage in, to, on, over and across real estate in Story County, Iowa:

THE EASEMENT GRANTED TO CONSTRUCT AND MAINTAIN DRAINAGE IS TO LAND DESCRIBED AS FOLLOWS:

See real estate description attached hereto and by this reference made a part hereof. Acquisition Plat - Exhibit "A" Permanent Drainage Easement is attached to said legal description.

No buildings, obstructions, or other improvements are to be erected upon or under the property covered by this Easement which would interfere with the construction, reconstruction, or maintenance of said sanitary sewer without first obtaining permission from the City of Nevada, Iowa.

This easement and transfer is exempt from transfer tax. Iowa Code Sec. 428A.2(17).

Grantors do hereby covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors covenant to warrant and defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the easement.

Index Legend	
Location:	Lot 8, Cable's Addition to Nevada
Requester:	City of Nevada, Iowa
Proprietor:	Erlan E. & Rhonda S. Sykes
Surveyor:	Matthew J. Vobr, P.L.S.
Surveyor Company:	Vobr Niemeyer, LLC
Address:	5340 N. Park Plaza NE, Suite 105
Phone:	Cedar Rapids, IA 52402 (319) 377-5099
Return To:	info@vnsurveying.com

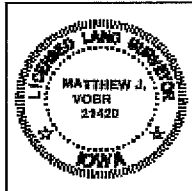
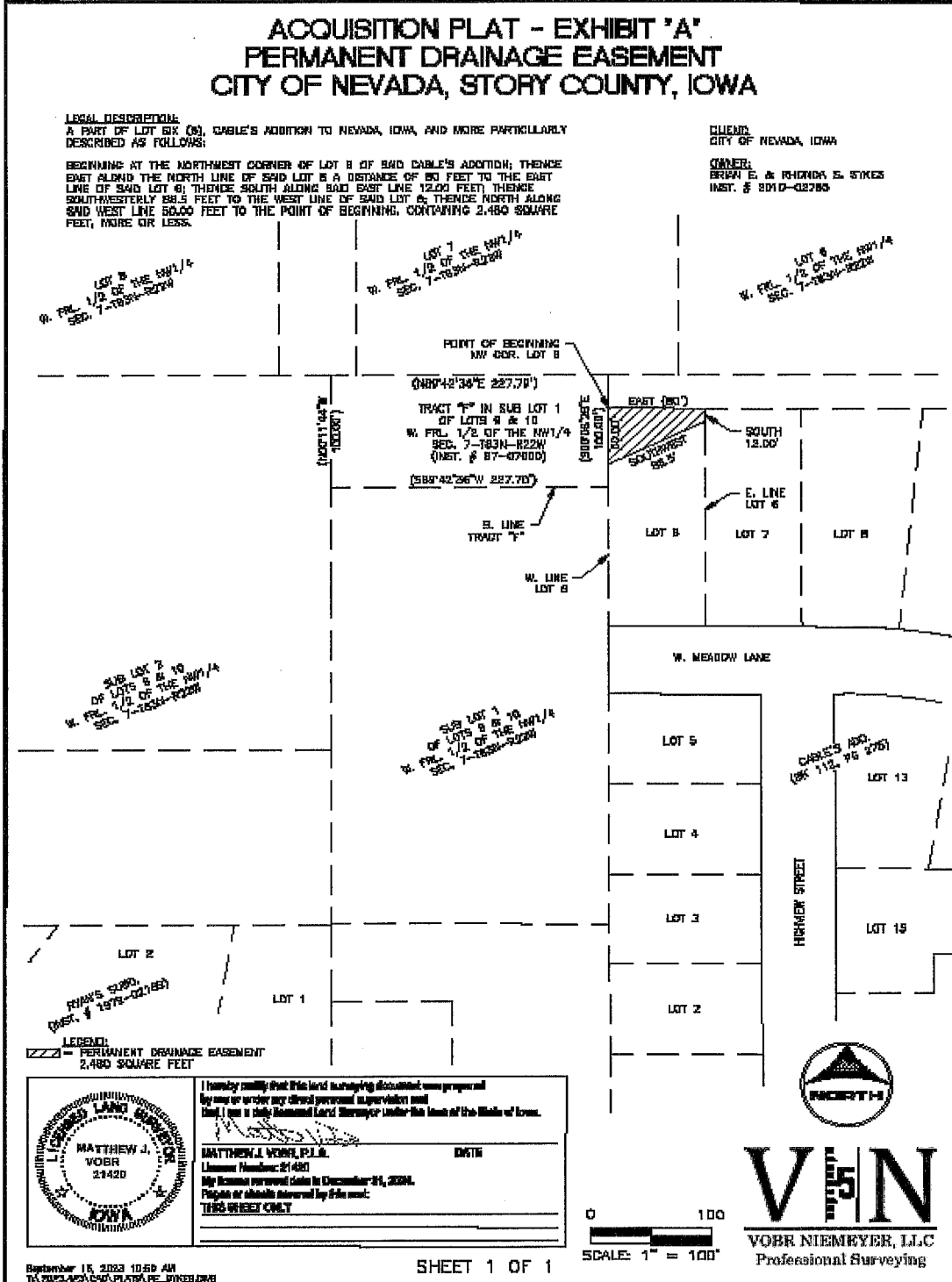
ACQUISITION PLAT - EXHIBIT 'A' PERMANENT DRAINAGE EASEMENT CITY OF NEVADA, STORY COUNTY, IOWA

LEGAL DESCRIPTION:
A PART OF LOT SIX (6), CABLE'S ADDITION TO NEVADA, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF LOT 8 OF SAID CABLE'S ADDITION; THENCE EAST ALONG THE NORTH LINE OF SAID LOT 8 A DISTANCE OF 80 FEET TO THE EAST LINE OF SAID LOT 8; THENCE SOUTH ALONG SAID EAST LINE 12.00 FEET; THENCE SOUTHWESTERLY 88.5 FEET TO THE WEST LINE OF SAID LOT 8; THENCE NORTH ALONG SAID WEST LINE 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 2,480 SQUARE FEET, MORE OR LESS.

CLIENT:
CITY OF NEVADA, IOWA

OWNER:
ERLAN E. & RHONDA S. SYKES
INST. # 8010-02283



I hereby certify that this land surveying document was prepared 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.

Matthew J. Vobr
MATTHEW J. VOBR, P.L.S. DATE
License Number: 21420
My license renewed date is December 01, 2020.
Pages of sheets surveyed by this map:
THIS SHEET ONLY



VNS
VOBR NIEMEYER, LLC
Professional Surveying

0 100
SCALE: 1" = 100'