

RESOLUTION NO. 003 (2024/2025)

**A RESOLUTION ACCEPTING EASEMENT TO CONSTRUCT AND MAINTAIN
DRAINAGE BETWEEN THE CITY OF NEVADA, IOWA AND PHILLIP C.
ROSENDAHL AND KIERSTIN L. ROSENDAHL**

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, Phillip C. Rosendahl and Kierstin L. Rosendahl, 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 Phillip C. Rosendahl and Kierstin L. Rosendahl 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 **PHILLIP C. ROSENDAHL AND KIERSTIN L. ROSENDAHL, husband and wife**, does 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.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated 6/13, 2024.

Phillip C. Rosendahl

Phillip C. Rosendahl

Kierstin L. Rosendahl

Kierstin L. Rosendahl

STATE OF Iowa)
COUNTY OF Story) ss:

This instrument was acknowledged before me on June 13th, 2024,
by Phillip Rosendahl and Kierstin Rosendahl, husband and wife.

Rose Geerts Iowa
Notary Public in and for said State



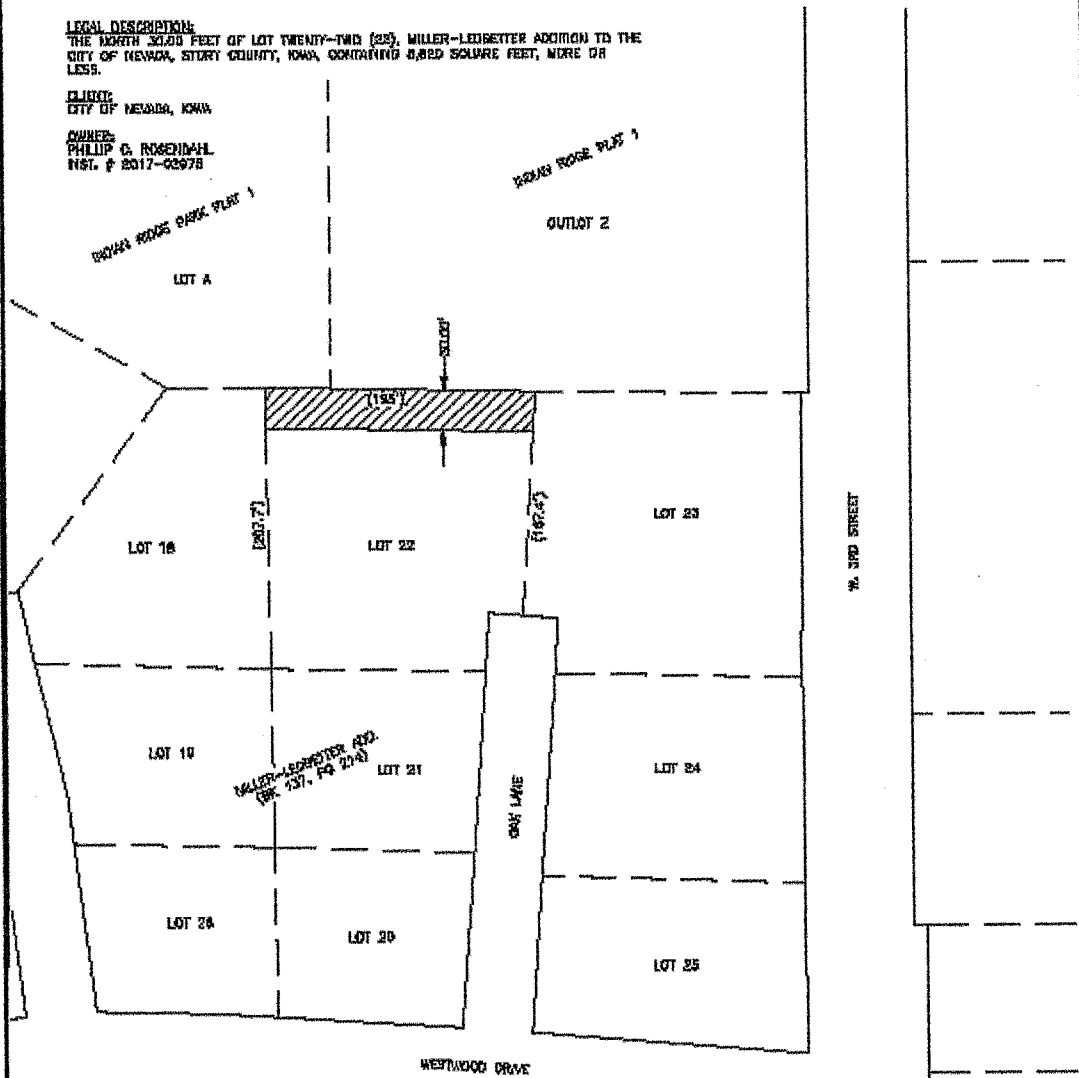
Index Legend	
Location:	Lot 22, Miller-Ledbetter Addition to Nevada, Story County, IA
Requestor:	City of Nevada, Iowa
Proprietor:	Phillip C. Rosendahl
Surveyor:	Matthew J. Vobr, P.L.S.
Surveyor Company:	Vobr Niemeyer, LLC 6340 N. Park Plaza NE, Suite 105 Cedar Rapids, IA 52402 (319) 377-5099
Return To:	info@vnsurveying.com

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

LEGAL DESCRIPTION:
THE NORTH 30.00 FEET OF LOT TWENTY-TWO (22), MILLER-LED BETTER ADDITION TO THE CITY OF NEVADA, STORY COUNTY, IOWA, CONTAINING 5,820 SQUARE FEET, MORE OR LESS.

CLIENT:
CITY OF NEVADA, IOWA

OWNER:
PHILLIP C. ROSEND AHL
INST. # 2017-02978



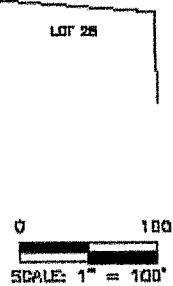
LOT 4	LOT 3	LOT 2	LOT 1	LOT 25
LEGEND: PERMANENT DRAINAGE EASEMENT 5,820 SQUARE FEET				

REGISTERED LAND SURVEYOR
MATTHEW J. VOBR
21420
IOWA

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 31, 2024.
Pages or sheets covered by this seal:
THIS SHEET ONLY



VNS
Vobr Niemeyer, LLC
Professional Surveying