

**RESOLUTION NO. 005 (2024/2025)**

**A RESOLUTION ACCEPTING EASEMENT TO CONSTRUCT AND MAINTAIN DRAINAGE BETWEEN THE CITY OF NEVADA, IOWA AND JORDAN B. HERSEY AND KAITLYN R. HERSEY**

**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**, Jordan B. Hersey and Kaitlyn R. Hersey, 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 Jordan B. Hersey and Kaitlyn R. Hersey in the forms attached hereto is hereby accepted.

**PASSED AND APPROVED** this 8<sup>th</sup> 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 **Jordan B. Hersey & Kaitlyn R. Hersey**, 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.



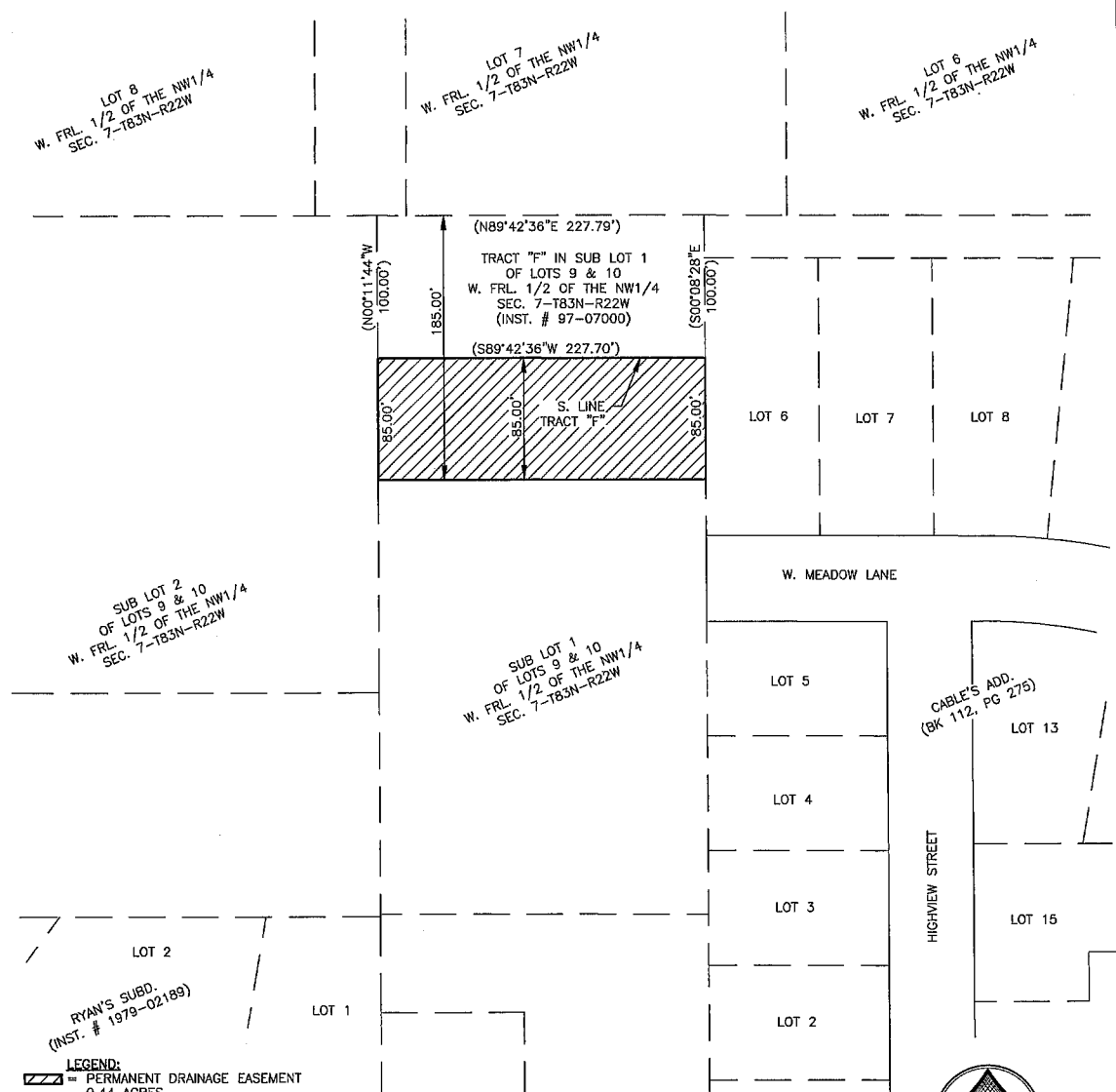
Index Legend	
Location:	Sub Lot 1 of Lots 9 and 10 of the West Fraction Half (W. Fr 1/2) of the NW1/4 Sec. 7-T83N-R22W
Requestor:	City of Nevada, Iowa
Proprietor:	Jordan B. & Kaitlyn R. Hersey
Surveyor:	Matthew J. Vobr, P.L.S.
Surveyor Company:	Vobr Niemeyer, LLC 5340 N. Park Place NE, Suite 105 Cedar Rapids, IA 52402 (319) 377-5099
Return To:	info@vnsurveying.com

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

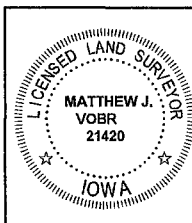
**LEGAL DESCRIPTION:**  
THE SOUTH 85.00 FEET OF THE NORTH 185.00 FEET SUB LOT 1 OF LOTS NINE (9) AND TEN (10) OF THE WEST FRACTION HALF (W. FRL. 1/2) OF THE NORTHWEST QUARTER (NW1/4) OF SECTION SEVEN (7), TOWNSHIP EIGHTY-THREE (83) NORTH, RANGE TWENTY-TWO (22) WEST OF THE 5TH P.M., STORY COUNTY, IOWA, CONTAINING 0.44 ACRES, MORE OR LESS.

**CLIENT:**  
CITY OF NEVADA, IOWA

**OWNER:**  
JORDAN B. & KAITLYN R. HERSEY



**LEGEND:**  
 = PERMANENT DRAINAGE EASEMENT  
 0.44 ACRES



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.

6/14/2024

MATTHEW J. VOBR, P.L.S. DATE  
 License Number: 21420  
 My license renewal date is December 31, 2024.  
 Pages or sheets covered by this seal:  
 THIS SHEET ONLY

