

RESOLUTION NO. 007 (2024/2025)

**A RESOLUTION ACCEPTING EASEMENT TO CONSTRUCT AND MAINTAIN
DRAINAGE BETWEEN THE CITY OF NEVADA, IOWA AND STORY COUNTY 4-H
FAIR ASSOCIATION**

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, Story County 4-H Fair Association, 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 Story County 4-H Fair Association 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 **STORY COUNTY 4-H FAIR ASSOCIATION, AN IOWA NOT-FOR PROFIT CORPORATION**, 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:

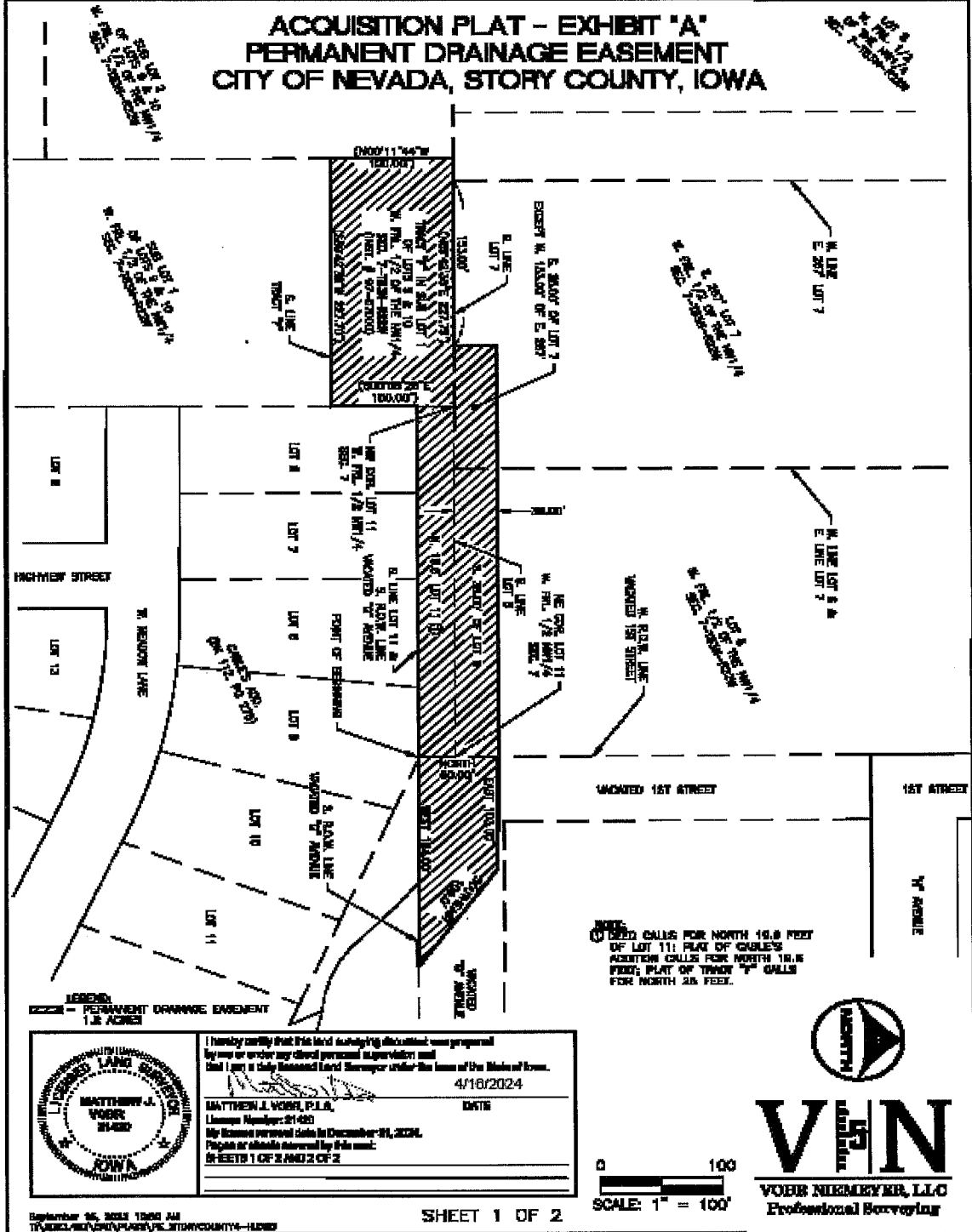
See real estate description attached hereto and by this reference made a part hereof. Acquisition Plat - Exhibit "A" Permanent Drainage Easement is attached to said legal description.

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:	Tract 7 th of Sub Lot 1 of Lot 9 & 10 and Parts of Lots 6, 7 & 11 all in W. Fr. 1/2 of the NW1/4 Sec. 7-183N-R22W
Requester:	City of Nevada, Iowa
Proprietor:	Story County 4-H Fair Association
Surveyor:	Matthew J. Vobr, P.L.S.
Surveyor Company:	Vobr Niernmeyer, LLC 6340 N. Park Place NE, Suite 105 Cedar Rapids, IA 52402 (319) 377-6099
Return To:	info@maurveysng.com



Index Legend	
Location:	Tract "F" of Sub Lot 1 of Lot 9 & 10, and Parts of Lots 8, 7 & 11 all in W. Fr. 1/2 of the NW1/4 Sec. 7--T83N--R22W
Requestor:	City of Nevada, Iowa
Proprietor:	Story County 4-H Fair Association
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

CLIENT:
CITY OF NEVADA, IOWA

OWNER:
STORY COUNTY 4-H FAIR ASSOCIATION
INST. # 2006-10875

LEGAL DESCRIPTION:
ALL OF TRACT "F" IN SUBLOT 1 OF LOTS 9 AND 10 OF THE WEST FRACTIONAL HALF OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 82 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN, NOW IN AND FORMING A PART OF THE CITY OF NEVADA, STORY COUNTY, IOWA.

AND

THAT PART OF VACATED "G" AVENUE DESCRIBED AS THE NORTH 19.8 FEET OF LOT 11 IN THE OFFICIAL PLAT OF THE WEST FRACTIONAL HALF OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 82 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN, NOW IN AND FORMING A PART OF THE CITY OF NEVADA, STORY COUNTY, IOWA.

AND

THE SOUTH 35.00 FEET OF LOT 8 AND THE SOUTH 35.00 FEET OF LOT 7 EXCEPT THE WEST 153.00 FEET OF THE EAST 287 FEET THEREOF IN THE OFFICIAL PLAT OF THE WEST FRACTIONAL HALF OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 82 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN, NOW IN AND FORMING A PART OF THE CITY OF NEVADA, STORY COUNTY, IOWA.

AND

THAT PART OF VACATED "I" AVENUE LYING BETWEEN THE WEST RIGHT-OF-WAY LINE OF VACATED 1ST STREET AND THE WEST RIGHT-OF-WAY LINE OF VACATED 2ND STREET NOW IN AND FORMING A PART OF THE CITY OF NEVADA, STORY COUNTY, IOWA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF VACATED "G" AVENUE AND THE SOUTHERLY EXTENSION OF THE WEST RIGHT-OF-WAY LINE OF VACATED 1ST STREET; THENCE NORTH ALONG THE WEST RIGHT-OF-WAY LINE OF SAID VACATED 1ST STREET A DISTANCE OF 60.0 FEET TO THE NORTH LINE OF THE SOUTH 30.00 FEET OF LOT 8 IN THE OFFICIAL PLAT OF THE WEST FRACTIONAL HALF OF THE NORTHWEST QUARTER OF SECTION 7, TOWNSHIP 82 NORTH, RANGE 22 WEST OF THE FIFTH PRINCIPAL MERIDIAN; THENCE EAST ALONG A LINE BEING PARALLEL WITH THE SOUTH RIGHT-OF-WAY LINE OF SAID VACATED "G" AVENUE A DISTANCE OF 103.00 FEET; THENCE SOUTHEASTERLY 108.0 FEET TO SAID SOUTH RIGHT-OF-WAY LINE; THENCE WEST ALONG SAID SOUTH RIGHT-OF-WAY LINE 184.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.22 ACRES, MORE OR LESS, TOTAL.

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M | J
J | U | N
VOBR NIEMEYER, LLC
Professional Surveying