

RESOLUTION NO. 007 (2026/2027)

**A RESOLUTION ACCEPTING A TEMPORARY 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 E – West Indian Creek Improvement Project) to restore and improve the stream channel and address erosion concerns; and

WHEREAS, it is necessary for the City to obtain temporary construction easements from certain property owners adjacent to West Indian Creek in order to complete the project; and

WHEREAS, the Story County 4-H Fair Association has granted the City of Nevada, Iowa, a temporary easement to construct in, to, on, over, and across real estate located in Story County, Iowa, as more particularly described in the attached Easement and Exhibit A, for the purpose of constructing and restoring drainage improvements associated with the West Indian Creek Improvement Project; and

WHEREAS, the temporary easement shall terminate upon completion of construction and restoration of the affected area in accordance with the approved project plans and specifications.

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

1. The **Temporary Easement to Construct and Maintain Drainage** by and between the City of Nevada, Iowa, and **Story County 4-H Fair Association**, in the form attached hereto, is hereby accepted.

PASSED AND APPROVED this 13th day of July, 2026.

Ryan Condon, Mayor

ATTEST:

Erin Mousel, City Clerk

EASEMENT TO CONSTRUCT AND MAINTAIN DRAINAGE

STORY COUNTY 4-H FAIR ASSOCIATION hereby grants to the City of Nevada, Iowa a temporary easement to construct in, to, on, over and across real estate in Story County, Iowa:

THE EASEMENT GRANTED TO CONSTRUCT IS TO LAND DESCRIBED AS FOLLOWS:

See real estate description attached hereto and by this reference made a part hereof. Acquisition Plat – "TEMPORARY 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 is exempt from transfer tax. Iowa Code Sec. 428A.2(17).

This easement shall terminate upon completion of construction and restoration of the channel. Upon completion of construction activities within the temporary easement area, the City of Nevada, Iowa, or its contractors shall restore the affected area in accordance with the approved project plans and specifications for the stream restoration project. Restoration shall include regrading of the stream channel and adjacent disturbed areas to the designed contours and elevations, stabilization of disturbed soils, and installation of erosion control measures as shown in the project documents.

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, 5/4/ 2026.

STORY COUNTY 4-H FAIR ASSOCIATION

STATE OF Iowa)

) ss:

COUNTY OF Story)

This instrument was acknowledged before me on May 4th, 2026, by Derrick Black and Dustin Johns.

Signature Derrick Black

Signature Dustin Johns

City:	Nevada
County:	Story County
Parcel ID:	11-07-150-020 (TRACT 6), 11-07-175-310 (TRACT 2), 11-07-175-450 (TRACT 4), 11-07-180-350 (TRACT 5)
Description:	TRACT 2, TRACT 4, TRACT 5, TRACT 6 QCD DOC# 2009-00010675 Sec 07-83-22
Proprietor:	STORY COUNTY 4-H FAIR ASSOCIATION
Surveyor:	John Boline
Company:	HRGreen, Inc.
	5525 Merle Hay Road Suite 200
Return To:	Johnston, IA 50131

TEMPORARY EASEMENT

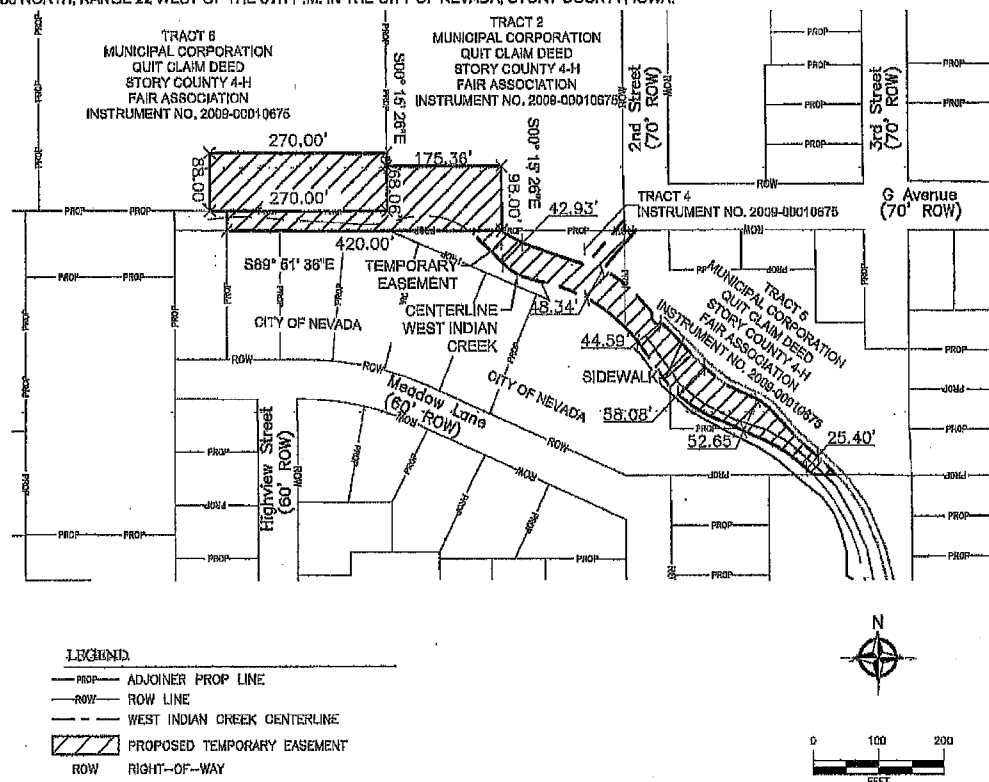
TEMPORARY CONSTRUCTION EASEMENT BEING CONVEYED TO THE CITY OF NEVADA
WEST INDIAN CREEK IMPROVEMENT PROJECT

PROPERTY OWNER: Mailing Address
STORY COUNTY 4-H FAIR ASSOCIATION
INSTRUMENT NO. 2009-00010675
220 H AVE
NEVADA IA 50201-2044

LEGAL DESCRIPTION:

A STRIP OF LAND FOR TEMPORARY CONSTRUCTION EASEMENT PURPOSES BEING A PART OF A PARCEL OF LAND DESCRIBED IN A MUNICIPAL CORPORATION QUIT CLAIM DEED TO THE STORY COUNTY 4-H FAIR ASSOCIATION RECORDED AUGUST 18, 2009 AS DOCUMENT NO. 2009-00010675 IN STORY COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A STRIP OF LAND BEING THE EASTERLY 270.00' OF THE SOUTHERLY 88.00' OF TRACT 6 OF SAID PARCEL; AND THE EASTERLY 420.00' OF THE WESTERLY 500.00' OF THE SOUTHERLY 98.00' OF TRACT 2 OF SAID PARCEL; AND A STRIP OF LAND BEING PART OF TRACT 4 AND TRACT 5 OF SAID PARCEL LYING APPROXIMATELY 25.00'-69.00' IN WIDTH OFF SET IN THE NORTHEASTERLY DIRECTION FROM THE CENTERLINE OF WEST INDIAN CREEK TO THE SOUTHERLY EDGE OF A SIDEWALK; AND A STRIP OF LAND 23.6' WIDE BEING PART OF TRACT 2, 4 AND 5 OF SAID PARCEL OVER AN EXISTING GRAVEL DRIVEWAY EXTENDING SOUTHWESTERLY FROM THE SOUTHWEST CORNER OF G AVENUE AND 2ND STREET TO THE SAID SOUTHERLY EDGE OF SIDEWALK, EACH STRIP OF LAND BEING OVER THE PROPOSED CONSTRUCTION LIMITS OF THE WEST INDIAN CREEK IMPROVEMENT PROJECT, ALL IN THE SW 1/4 OF THE NW 1/4 AND THE SE 1/4 OF THE NW 1/4 OF SECTION 7, TOWNSHIP 83 NORTH, RANGE 22 WEST OF THE 6TH P.M. IN THE CITY OF NEVADA, STORY COUNTY, IOWA.



SURVEY FOR:
CITY OF NEVADA
1209 8TH ST
NEVADA, IA 50201
PHONE: (515) 382-5408

HRG PROJECT NO. 191800.04 DATE: 04/16/2028



5525 MERLE HAY ROAD
JOHNSTON, IOWA 50131
PHONE 515-278-2813
www.hrgreen.com

SHEET
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