

COMPARED

BOOK 1195 PK 239-41

File No. 24050

Feb 2, 00

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Form 579 4-27-11071

Form Number

Pottawattomie

County

Project No. Omaha Br. Approach Road

IOWA STATE HIGHWAY COMMISSION

Application for Permit to Construct Entrance from Private Property to Primary Road or Primary Road Extension

Applicant: A. B. Gendler (Owner or Owner of Record)

Address: 1112 N. 13th St., Omaha, Nebr.

July 8, 1957

Iowa State Highway Commission, Ames, Iowa, Containing:

A plan is hereby submitted to construct a Commercial (Retail, etc.) entrance from right of way line to primary road traveled way, including necessary drainage adjacent thereto. The use or purpose of the entrance cannot be changed without your approval of the Highway Commission.

PLAN OF ENTRANCE AS PROPOSED TO BE CONSTRUCTED IS ATTACHED TO AND IS A PART OF THIS APPLICATION, HEREBY EXHIBIT "A".

Proposed entrance is located on Primary Road No. 275, Sec. 11, T. 74N, R. 44W, POTTAWATTOMIE County, 1/2 NW 1/4, WEST from Jct. 152, Iowa, Iowa 51544.

Entrance is located as follows: On the south side of U.S. #275 at STA 210+15m as shown on plans for the South Omaha Bridge Approach Road.

The applicant certifies that if granted a permit to enter the above described premises the following stipulations shall govern: 1. That the proposed entrance, including drainage, grading and surfacing, shall be constructed by the applicant at the applicant's expense in accordance with the attached forms, and in conformity with the standard specifications of the Iowa State Highway Commission, and shall thereafter be kept in repair and maintained by the applicant at his own expense. No work in this stipulation shall be performed until the Iowa State Highway Commission has entered upon and entrance on both sides of way and performing its maintenance for the protection of the highway.

2. That the construction of the proposed entrance shall be completed by the 1 day of Jan 1958. 3. That the construction, future repair or maintenance of said entrance shall be carried on in such a way as to not interfere with or interrupt traffic on said highway, and the applicant shall take all reasonable precautions to protect and safeguard the land and property of any person or persons, and shall save the State and State Highway Commission harmless of any damage or loss that may be sustained by any person on account of such construction, repair or maintenance operations. 4. That the applicant shall reserve a strip of land 50 feet wide adjacent and parallel to the south right of way line of primary road No. 275 for the full width of the applicant's property, to be used as driveway (North, etc.) and width of way for the applicant's property and any property development EAST or WEST of the applicant's property. This reservation shall not constitute an easement. 5. That there shall be a distance of 77 feet between the centerline of primary road No. 275 and the north line edge of the front road. 6. That all buildings, garages or other structures shall be built or placed under lot or across from the lot right of way line of the driveway road, or 122 feet or more SOUTH of the centerline of the driveway road or primary road extension (North, etc.). 7. That if the driveway road is granted EAST or WEST and other access to primary road No. 275, provided (North, etc.) the entrance directly into primary road No. 275 at Station 210+15m. Permit shall be obtained and approved by the applicant, in all respects, in accordance with the Iowa State Highway Commission and its regulations. All work on said road shall be limited to the driveway road. 8. That no filling will be permitted for the right of way of primary road No. 275 within the limits of construction as shown on Original 210+15m.

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9. The pipe shall be of one (one) inch diameter (nominal) or 1.3150 inches diameter pipe. It shall be N/A inches in diameter and N/A feet in length to allow for leaded glass, and of quality conforming with Co. 4111 and Co. 4112 of the Iowa State Highway Commission Standard Specifications, Series of 1976. The pipe shall be installed in the location specified by the engineer.

The finished surface elevation of the driveway over the pipe, or place where pipe would normally lay shall be 8 inches lower than finished elevation of Surface 210315 to prevent water draining onto the pavement of street way.

10. That the applicant agrees to give the State Highway Commission forty-eight hour notice of his intention to start construction on the highway right of way. Said notice shall be made in writing to the person whose name is shown below.

11. That the permit is subject to any laws now in effect, or any laws which may be hereafter passed.

12. That the permit is subject to all the rules and regulations of the State Highway Commission and to permission by the State Highway Commission at any time, when in the judgment of the Commission it is necessary in the improvement or maintenance of the highway or for other reasonable cause.

13. That all provisions herein relating to future repair or maintenance shall be binding on all successors or assigns of the applicant.

14. N/A

Signed A. E. Gandler
Owner or Owner of Record

By
owner
Title
1112 N. 13th St. Omaha, Nebr.
Address

ACKNOWLEDGEMENT

STATE OF IOWA
Iowa County

On this 1st day of Sept A. D. 1957 before me, Clerk of Court, Notary Public in and for the County of Iowa, personally appeared J. E. Gandler and he is known to be the person(s) named in and who executed the foregoing instrument, and acknowledged that he executed the same as his voluntary act and deed.

Notary Public in and for said County.

Recommended for Approval: [Signature]
Recommended for Approval: [Signature]
Director, Engineer Date

001211957

IOWA STATE PUBLIC SAFETY COMMISSION
W. O. Brown, Div. Chief, Eng. Box 30 Council Bluffs, Ia.

EXHIBIT C

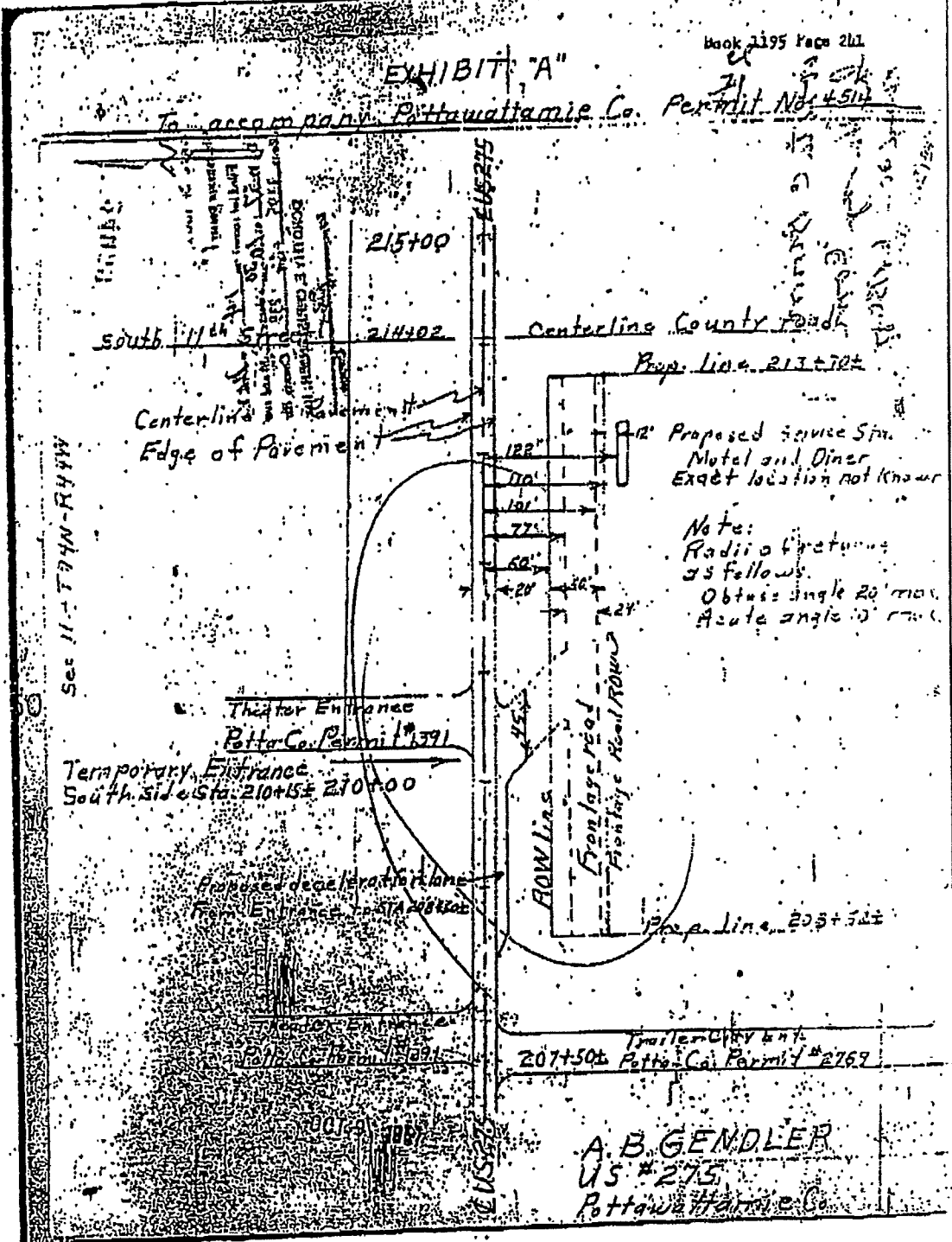
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EXHIBIT "A"

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To accompany Pottawattamie Co. Permit No. 4511



A. B. GENDLER
US # 275
Pottawattamie Co.