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PATRICK F GILL, AUDITOR AND RECORDER *PF*
WOODBURY COUNTY IOWA

PERMANENT UTILITY EASEMENT

Prepared by: Alan R. Hesse, P.O. Box 447, Sioux City, Iowa, 51102 Telephone No. (712) 279-6307

IDE **Return to:** Alan R. Hesse City of Sioux City, 405 6th St., Sioux City, IA 51101 Phone: (712) 279-6307

Taxpayer Information: Gordon Plaza LLC, 520 Nebraska Street Room 209, Sioux City, IA 51101

Grantor: Gordon Plaza LLC

Grantee: City Of Sioux City

Legal Description: See page 1

Document or Instrument of previously recorded document(s):

Return to and Prepared By: Alan R. Hesse, City of Sioux City Real Estate Office, 405 6th St., Sioux City, Iowa (712) 279-6307

PERMANENT UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT Gordon Plaza, LLC in consideration of special benefits and the sum of Mutual Benefits receipt of which is herewith acknowledged, does hereby grant and convey to the City of Sioux City, Iowa an easement over and across the following real estate situated in Woodbury County, Iowa:

A perpetual utility easement and right-of-way over, under, through and across a portion of Lots 5, 7-8 and 15 of Gordon Plaza Addition to the City of Sioux City, Woodbury County, Iowa. Said easement being more particularly described as follows:

Commencing at the NW corner of Lot 5; thence easterly along the north line of said Lot 5 on an assumed bearing of S89°58'55"E (with all subsequent bearings referenced therefrom) for a distance of 94.61 feet to the Point of Beginning; thence continuing S89°58'55"E along the north line of said Lot 5 and Lot 15 for a distance of 20.00 feet; thence S00°01'05"W for a distance of 15.33 feet; thence S89°58'55"E for a distance of 128.26 feet; thence S65°52'07"E for a distance of 10.77 feet; thence N24°07'53"E for a distance of 14.05 feet; thence S65°52'07"E for a distance of 20.00 feet; thence S24°07'53"W for a distance of 14.05 feet; thence S65°52'07"E for a distance of 74.06 feet; thence S89°58'55"E for a distance of 128.70 feet; thence N00°43'08"E for a distance of 12.58 feet; thence S89°25'52"E for a distance of 20.00 feet; thence S00°34'08"W for a distance of 12.39 feet; thence S89°58'55"E for a distance of 257.53 feet; thence N00°34'08"E for a distance of 16.08 feet; thence S89°25'52"E for a distance of 10.83 feet to a point on the west line of Lot 9 extended Northeasterly; thence S33°35'30"W along said extended line for a distance of 55.98 feet; thence N89°58'55"W for a distance of 392.81 feet; thence N65°52'07"W for a distance of 104.83 feet; thence N89°58'55"W for a distance of 86.55 feet; thence S57°55'34"W for a distance of 19.62 feet; thence N54°42'24"W for a distance of 36.58 feet; thence N33°35'30"E for a distance of 11.60 feet; thence N54°56'29"W for a distance of 18.43 feet; thence N00°01'05"E for a distance of 15.05 feet to a point on the north line of Lot 5 and the Point of Beginning.

Said described easement contains 20,641 square feet; and

The purpose of this Permanent Easement agreement is to construct, operate and maintain a utility. The Grantors herein retain the right to such use of the whole of said tract as is consistent with the exercise of said easement on the part of the said City in constructing, operating and maintaining said utility project.

In case the City shall cease to require said utility easement over said tract, then said easement shall cease and all rights herein granted shall revert to the Grantors herein or their assigns.

IN WITNESS WHEREOF, the parties hereto have set their hands this 16 day of April, A.D., 2008.

[Signature]
James C. Johnson/Gordon Plaza, LLC

CORPORATE CERTIFICATE OF ACKNOWLEDGMENT

STATE OF IOWA)
) ss.
WOODBURY COUNTY)

On this 16 day of April, 2008, before me Alan R. Hesse, a Notary Public in and for Woodbury County, State of IA, personally appeared James C. Johnson and James C. Johnson to me personally known, who being by me severally duly sworn did severally say that the said James C. Johnson is Manager and the said James C. Johnson is Manager of Gordon Plaza LLC a corporation duly organized and existing; that

~~(the seal affixed to said instrument is the seal of said corporation.)~~
(said corporation has no seal.)

That the said instrument was signed, sealed and executed in behalf of said corporation by authority of its board of directors, and the said James C. Johnson acknowledged the said instrument and the execution thereof to be the voluntary act and deed of said Corporation by each of them voluntarily executed.

WITNESS my official signature and seal of office at Sioux City IA the day and year last above written.

Alan R. Hesse
Notary Public in and for said County and State.

