

3100
ge

WHEN RECORDED RETURN TO:
NAME CITY OF ANKENY, CITY CLERK
ADDRESS 300 N. ANKENY BLVD.
CITY ANKENY STATE IA ZIP 50021-2000
PHONE 562-4400

INST # 016629
RECORDING FEE 3100
AUDITOR FEE _____ Easement No. 1

PERMANENT EASEMENT

KNOW ALL MEN BY THESE PRESENT:

That we, the undersigned, TGB Limited, An Iowa General Partnership, of the County of Polk, State of Iowa, in consideration of \$ 100 in hand paid by the CITY OF ANKENY, IOWA, the receipt of which is hereby acknowledged do hereby sell, grant and convey unto the City of Ankeny, Iowa, a municipal corporation, in the County of Polk, State of Iowa, an easement under, through and across the following described real estate:

Permanent Easement

A permanent easement lying within that tract of land situated in the Northwest Quarter (NW 1/4) of Section 35, Township 80 North, Range 24 West of the 5th P.M. and conveyed to Owners as recorded in Book 7026 on Page 871, Office of the Polk County Recorder.

Said permanent easement being more particularly described as follows:

Commencing as a point of reference at the Northwest Quarter corner (NW 1/4 cor) of said Section 35; thence South 89°33'38" East (assumed bearing for purposes of this description only) a distance of three hundred fifty-six and twenty-one hundredths (356.21) feet on the north line of the Northwest Quarter (NW 1/4) of said Section 35; thence South 00°26'22" West, a distance of seventy-nine and fifty-six hundredths (79.56) feet to the point of beginning;

thence South 37°08'50" West, a distance of fifty-three and twenty-one hundredths (53.21) feet;

thence South 82°40'50" West, a distance of one hundred seventeen and twenty-six hundredths (117.26) feet;

thence North 53°01'27" West, a distance of one hundred forty-seven and ninety hundredths (147.90) feet;

thence South 89°33'38" East, a distance of nine and seventy-one hundredths (9.71) feet;

thence South 70°35'31" East, a distance of one hundred thirty-eight and forty-three hundredths (138.43) feet;

thence North 83°28'02" East, a distance of one hundred twenty-seven and fifteen hundredths (127.15) feet to the point of beginning.

FILED FOR RECORD
POLK COUNTY, IOWA
94 SEP -9 P 2:38 PM
TIMOTHY J. BRIEN
RECORDER

File Date
9-9-94

115218

BOOK 7084 PAGE 245

WHEN RECORDED RETURN TO:
NAME CITY OF ARNEY, CITY CLERK
ADDRESS 100 N. ARNEY BLVD.
CITY ARNEY STATE IA ZIP 50001-5102
PHONE 319-340

-2-

Temporary Easement

A temporary easement lying within that tract of land situated in the Northwest Quarter (NW 1/4) of Section 35, Township 80 North, Range 24 West of the 5th P.M. and conveyed to Owners as recorded in Book 7026 on Page 871, Office of the Polk County Recorder.

Said temporary easement being more particularly described as follows:

Commencing as a point of reference at the Northwest Quarter corner (NW 1/4 cor) of said Section 35; thence South 89°33'38" East (assumed bearing for purposes of this description only) a distance of three hundred seventy-six and eighty hundredths (376.80) feet on the north line of the Northwest Quarter (NW 1/4) of said Section 35; thence South 00°26'22" West, a distance of seventy-seven and four hundredths (77.04) feet to the point of beginning;

thence South 37°08'50" West, a distance of seventy-three and eighty-three hundredths (73.83) feet;

thence South 82°40'50" West, a distance of one hundred twenty-nine and sixty-seven hundredths (129.67) feet;

thence North 53°01'27" West, a distance of one hundred seventy-four and twenty-five hundredths (174.25) feet;

thence South 89°33'38" East, a distance of twenty-five and twenty hundredths (25.20) feet;

thence South 53°01'27" East, a distance of one hundred forty-seven and ninety hundredths (147.90) feet;

thence North 82°40'50" East, a distance of one hundred seventeen and twenty-six hundredths (117.26) feet;

thence North 37°08'50" East, a distance of fifty-three and twenty-one hundredths (53.21) feet;

thence North 83°28'02" East, a distance of twenty and seventy-four hundredths (20.74) feet to the point of beginning.

*File Date
9-9-94*

BOOK 7084 PAGE 246

WHEN RECORDED RETURN TO:
NAME CITY OF ANKENY, IOWA
ADDRESS 1000 N. ANKENY BLVD.
CITY ANKENY STATE IA ZIP 50021-5100
PHONE 563-4400

-3-

That said easement is granted unto the City of Ankeny, Iowa, for the purpose of the construction, installation and maintenance of the following described public improvement:

Water Main

In connection herewith it is specifically agreed that by this easement, the City of Ankeny shall have the right to enter upon said premises as shall be necessary to construct, reconstruct, inspect, repair, operate and maintain and service any and all of said improvements and all appurtenances thereto, together with the right to use and operate said improvements as it deems necessary.

The said municipal corporation shall restore said described land to a satisfactory condition after construction and/or maintenance in substantially the same condition as prior to entry.

It is further agreed that no permanent improvement shall be built or placed upon the above described easement, and that if such improvements are built or constructed, in violation of this easement, the City of Ankeny shall in no way be responsible for any damages thereto resulting from the construction, reconstruction, maintenance or repair of the aforesaid improvements.

That the grantors do hereby covenant with the said grantee, and successors in interest, that said grantors hold said real estate by title and fee simple; that they have good and lawful authority to sell and convey the same; that said premises are free and clear of all liens and encumbrances whatsoever except as may be hereinabove stated; that said grantors covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever, except as may be above stated.

*File Date
9-9-94*

BOOK 7084 PAGE 247

WHEN RECORDED RETURN TO:
NAME CITY OF ANSBURY, CITY CLERK
ADDRESS 308 N. ANSBURY BLVD.
CITY ANSBURY STATE IA ZIP 52002-1288
PHONE 319-440

-4-

IN WITNESS WHEREOF WE have hereunto affixed our hands this 2nd
day of September, 1994.

John W. Shultz, Partner
(Name)
+ G.B. Ltd.
(Name) OWNERS

STATE OF IOWA }
COUNTY OF POLK } ss.

On this 2nd day of September, A.D., 1994, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared John W. Shultz and

General Partner, to me personally known, who, being by me duly sworn, did say that they are the 10

Partners respectively of said corporation; that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and that the said Partners are

Partners as such officers acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

Partners

Richard Morrissey
Notary Public in and for said State



BOOK 7084 PAGE 248

File Date
9-9-94

WHEN RECORDED RETURN TO:
NAME CITY OF AUBURN, CITY CLERK
ADDRESS 1501 N. AUBURN BLVD.
CITY AUBURN STATE IA ZIP 50001-1000
CONSENT OF LIENHOLDER CAPTION

I, the undersigned officer of TKB Ltd.

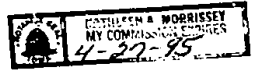
, do hereby consent to the conveyance of
easement hereto attached and agreed to the terms and conditions thereto.

John W. Shultz, Notary
Authorized Agent

STATE OF IOWA :
 : ss
COUNTY OF POLK:

Now on this 2nd day of September, 1994, there appeared
before me, a notary public in and for the County of Polk, State of Iowa, a

person known to me who stated that he was the partner
of TKB Limited and as such executed the above
and foregoing Consent of Lienholder and acknowledged that he so executed the
same as his voluntary act and deed.



Kathleen A. Morrissey
Notary in and for the State of Iowa

File Date
9-9-94

BOOK 7084 PAGE 249

File Date
9-9-94

