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Recorded: 06/28/2005 at 10:21:10 AM
Fee Amt: \$17.00 Page 1 of 3
Polk County Iowa
TIMOTHY J. BRIEN RECORDER
File# 2005-00117812

BK 11137 PG 856-858

WHEN RECORDED RETURN TO:
CITY OF ANKENY, City Clerk
410 West First Street
Ankeny, IA 50021

Preparer

Information Amy S. Beattie, Attorney at Law, 550 39th St., Ste 200, Des Moines, IA 50312, (515) 274-1450

Amy S. Beattie ISBA # 7879

SPACE ABOVE THIS LINE FOR RECORDER

PERMANENT EASEMENT

KNOW ALL BY THESE PRESENTS:

That Ankeny Partners LP (hereinafter called "Grantor") in consideration of the sum of Ten Dollars and other valuable consideration to be paid by the City of Ankeny, Iowa upon final approval and acceptance of this easement, do hereby convey unto the City of Ankeny, Iowa, a municipal corporation, (hereinafter called "City") a perpetual Easement for Overhead Electric under, over, through and across the following described real estate:

See attached Exhibit

(hereinafter called "Easement Area") for the purpose of providing overhead electric service, together with necessary appurtenances thereto, under, over, through and across said Easement Area for the following described public improvement:

1st Street and NE Delaware Avenue Widening Project

This easement shall be subject to the following terms and conditions:

1. Erection of Structures Prohibited. Grantor shall not erect any landscaping or structure over or within the easement area without obtaining the prior written approval of the City Engineer.
2. Change of Grade Prohibited. Grantor shall not change the grade, elevation or contour of any part of the easement area without obtaining the prior written consent of the City Engineer.
3. Right of Access. The City shall have the right of access to the easement area and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the easement area as herein described, including but not limited to, the right to remove any unauthorized obstructions or structures placed or erected on the easement area.
4. Easement Runs With Land. This easement shall be deemed to run with the land and shall be binding on Grantor and on Grantor's successors and assigns.

PERMANENT EASEMENT

City of Ankeny - NE Delaware Avenue Widening Project

5. Approval By the City. This easement shall not be binding until it has received the final approval and acceptance by the City.

Grantor does HEREBY COVENANT with the City that Grantor holds said real estate described in this easement by title in fee simple; that grantor has good and lawful authority to convey the same; and said Grantor covenant to WARRANT AND DEFEND the said premises against the lawful claims of all persons whomsoever.

Grantor hereby acknowledges by execution of this document, lender approval has been obtained.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share, if any, in and to the interests conveyed by this easement.

IN WITNESS WHEREOF WE have hereunto affixed our hands this 25th day of April, 2005.

GRANTOR:

Ankeny Parkway, L.P.

By OLS Enterprises, Inc., G.P.

By David L. Johnson
David L. Johnson, Pres.

STATE OF Missouri, COUNTY OF Clay, ss :

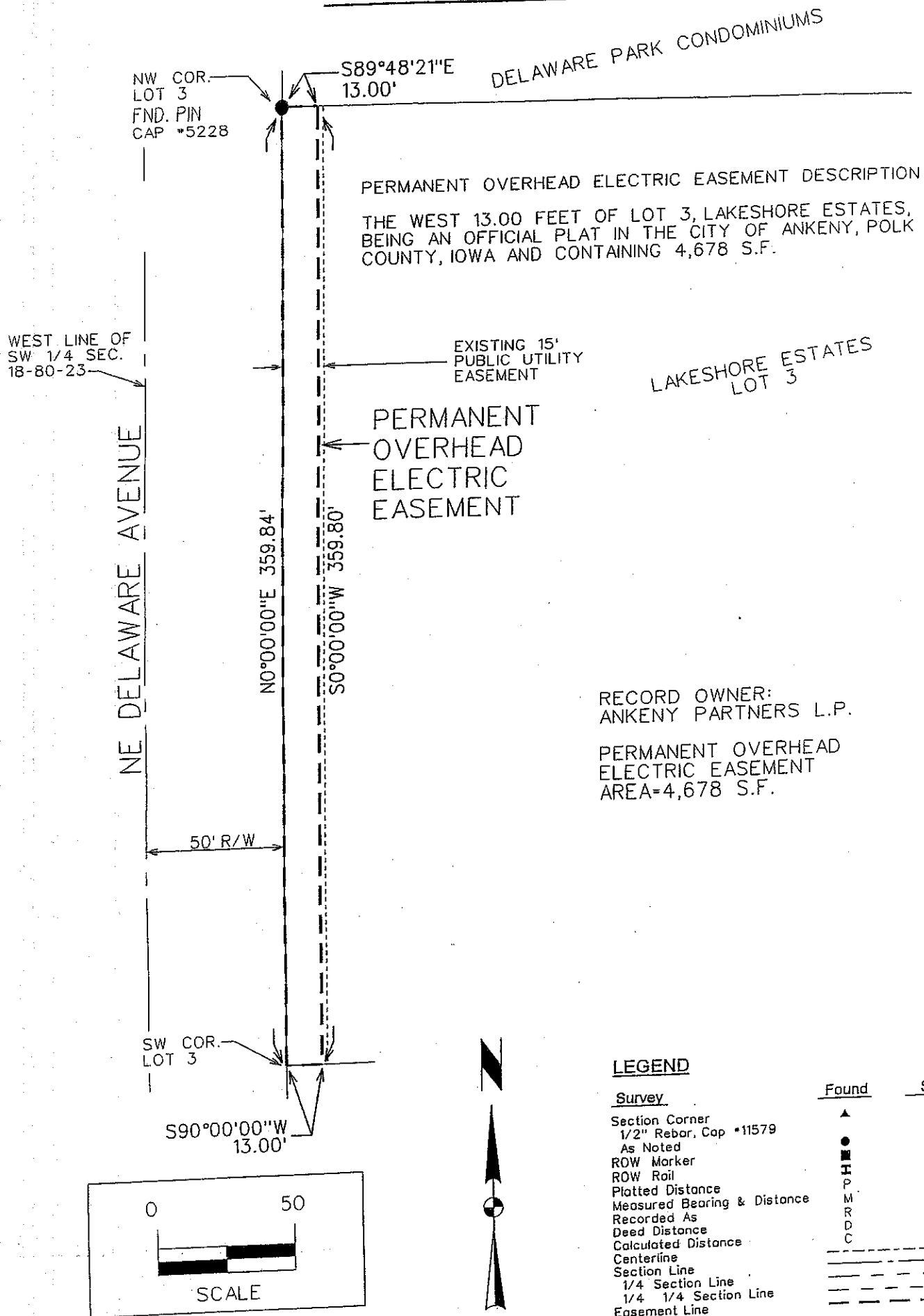
On this 25th day of April, 2005, before me the undersigned, a Notary Public in and for said State, personally appeared David L. Johnson to me known to be the identical person(s) named in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as his/her/their voluntary act and deed.

GRACE E. BALES
 Notary Public - Notary Seal
 State of Missouri
 Clay County

My Commission Expires Aug. 24, 2008

Grace E. Bales
 Notary Public in and for said State of Missouri

EXHIBIT "A" EASEMENT PLAT



CITY OF ANKENY, IOWA - N.E. DELAWARE AVENUE WIDENING

PARCEL 20 - ANKENY PARTNERS LP



SNYDER & ASSOCIATES
Engineers and Planners

501 S.W. DRALABOR ROAD
ANKENY, IA 50021 (515) 964-2020

SHEET 1 OF 1
PN: 99621
FN: A-1533
DATE: 07/27/04
TECH: MKH

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8/15/2004
XXX