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Doc ID: 032536850005 Type: GEN
 Kind: EASEMENT
 Recorded: 12/04/2017 at 09:19:19 AM
 Fee Amt: \$27.00 Page 1 of 5
 Revenue Tax: \$0.00
 Polk County Iowa
 JULIE M. HAGGERTY RECORDER
 File# 2017-00045814
 BK **16744** PG **822-826**

RETURN TO: Prepared by: David L. Wetsch, 974 - 73rd Street, Suite 20, Des Moines, IA 50324
 Return Address: City Clerk - City Hall, 5160 Maple Drive, Suite A, Pleasant Hill, IA 50327
 Title of Document: **Easement for Sanitary Sewer**
 Grantor's Name: Sunrise Developing Company a/k/a Sunrise Developing Co., Inc.
 Grantee's Name: City of Pleasant Hill, Iowa
 Legal Description: Attached

Project: Activity ID #
 Project Location: Parcel # - Address

EASEMENT FOR SANITARY SEWER

SUNRISE DEVELOPING COMPANY a/k/a SUNRISE DEVELOPING CO., INC., an Iowa corporation (hereinafter referred to as the "Grantor") in consideration of One Dollar (\$1.00) and other good and valuable consideration, does hereby grant and convey unto the City of Pleasant Hill, Iowa, a municipal corporation (hereinafter referred to as the "City"), an Easement for Sanitary Sewer over and across the property described on Exhibit "A", attached hereto and incorporated herein by this reference. Said Easement Area shall be for the construction, installation and maintenance of sanitary sewer facilities and structures.

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

1. ERECTION OF STRUCTURES PROHIBITED. Grantor shall not erect any structure over or within the Easement Areas without obtaining the prior written approval of the City Engineer.
2. PLANTINGS. The planting of trees and shrubs is prohibited within the Easement Areas.
3. CHANGE OF GRADE PROHIBITED. Grantor shall not change the grade, elevation or contour of any part of the Easement Areas without obtaining the prior written consent of the City Engineer.
4. RIGHT OF ACCESS. The City, its agents, contractors, employees and assigns shall have

the right of access to the Easement Areas and have all rights of ingress and egress reasonably necessary for the use and enjoyment of the Easement Areas as herein described, including, but not limited to, the right to remove any unauthorized plantings or structures placed or erected on the Easement Areas.

- 5. EASEMENT RUNS WITH LAND. The Easements described above shall be deemed to run with the land and shall remain in effect until such time as the property owned by Grantor is platted. In the interim, the Easements created under this instrument shall be binding on Grantor and on Grantor's successors and assigns.
- 6. APPROVAL BY CITY COUNCIL. These Easements shall not be binding until it has received final approval and acceptable by the Pleasant Hill City Council by Resolution, which approval and acceptance shall be noted on this Easement instrument by the City Clerk.

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 covenants to warrant and defend the said premises against the lawful claims of all persons whomsoever.

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.

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.

Signed this 25 day of October, 2017.

SUNRISE DEVELOPING COMPANY
a/k/a SUNRISE DEVELOPING CO., INC.

By: Donna Thomas
Donna Thomas, ~~President~~
VT Vice-President

STATE OF IOWA)
)ss
COUNTY OF POLK)

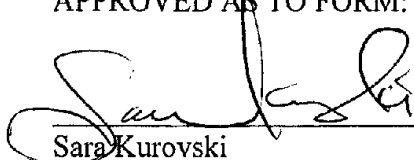
This instrument was acknowledged before me on 10-25, 2017, by Donna Thomas, as ~~President~~ vice-President of Sunrise Developing Company a/k/a Sunrise Developing Co., Inc.

(cc)

Chris Langpaul
NOTARY PUBLIC - STATE OF IOWA



APPROVED AS TO FORM:




Sara Kurovski
Mayor, City of Pleasant Hill

ACCEPTANCE:

I, Dena Spooner, City Clerk of the City of Pleasant Hill, Iowa, do hereby certify that the within and foregoing Easement was duly approved and accepted by the City Council of said City of Pleasant Hill by Resolution and Roll Call No. 11419-11, passed on November 14, 2017, and this certificate is made pursuant to authority contained in said Resolution.

Signed this 14th day of November, 2017.



Dena Spooner
City Clerk of the City of Pleasant Hill, Iowa

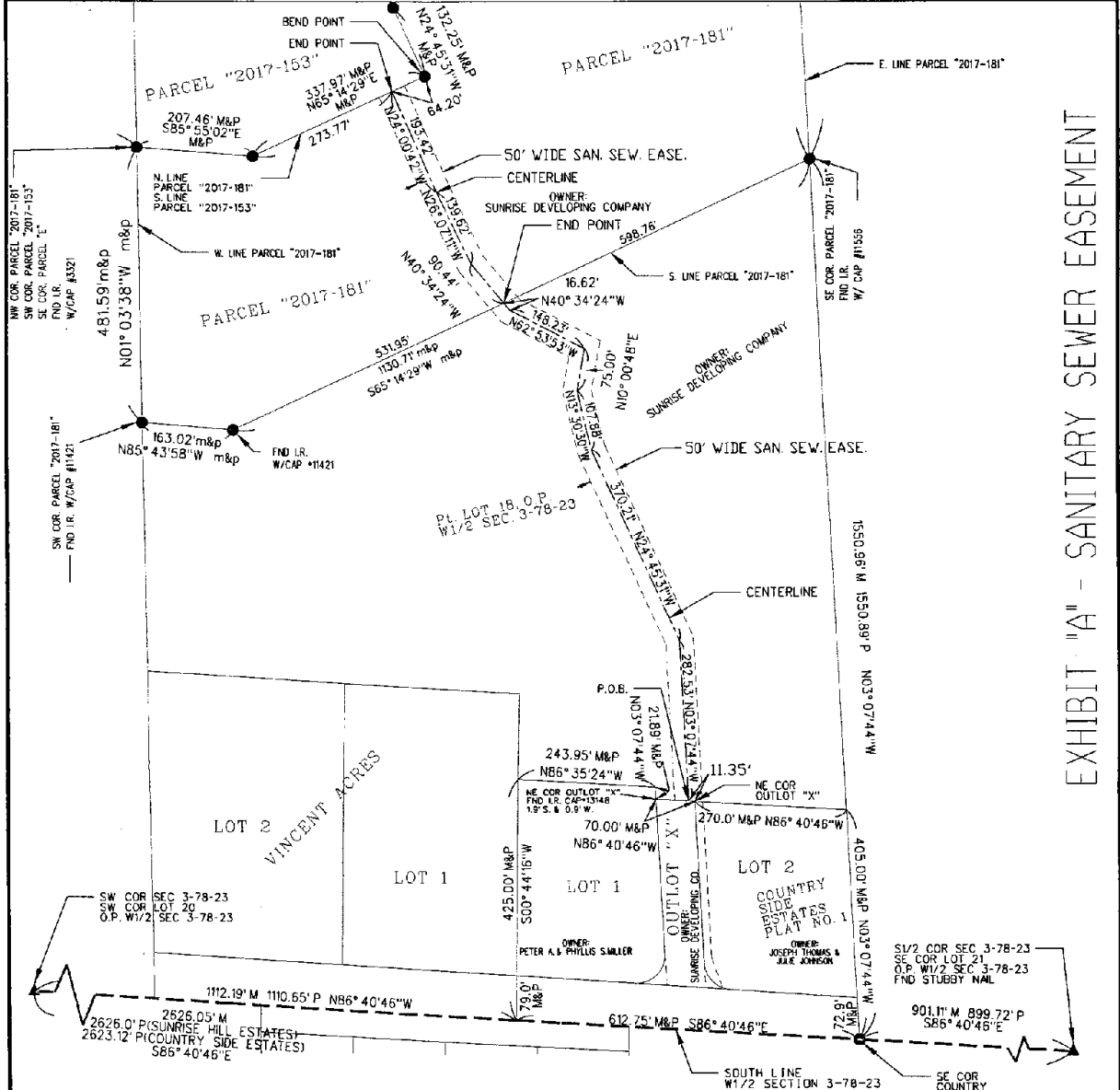
EXHIBIT A LEGAL.txt

LEGAL DESCRIPTION (SANITARY SEWER EASEMENT)

A 50.00 FOOT WIDE SANITARY SEWER EASEMENT LOCATED IN PARCEL "2017-181", AS RECORDED IN BOOK 16677 PAGE 209-210 OF THE POLK COUNTY, IOWA, RECORDER'S OFFICE AND IN LOT 18 OF THE OFFICIAL PLAT OF THE WEST ONE-HALF OF SECTION 3, T78N, R23W OF THE 5TH P.M., PLEASANT HILL, POLK COUNTY, IOWA, THE CENTERLINE OF THE 50.00 FOOT WIDE SANITARY SEWER EASEMENT DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF OUTLOT "X", COUNTRY SIDE ESTATES PLAT NO. 1, AN OFFICIAL PLAT NOW INCLUDED IN AND FORMING A PART OF THE CITY OF PLEASANT HILL, POLK COUNTY, IOWA; THENCE N86°40'46"W ALONG THE NORTH LINE OF SAID OUTLOT "X", A DISTANCE OF 11.35 FEET TO THE POINT OF BEGINNING; THENCE N03°07'44"W, A DISTANCE OF 282.53 FEET TO A POINT; THENCE N24°45'31"W, A DISTANCE OF 370.21 FEET TO A POINT; THENCE N13°30'30"W, A DISTANCE OF 107.88 FEET TO A POINT; THENCE N10°00'48"E, A DISTANCE OF 75.00 FEET TO A POINT; THENCE N62°53'53"W, A DISTANCE OF 148.23 FEET TO A POINT; THENCE N40°34'24"W, A DISTANCE OF 16.62 FEET TO A POINT ON THE SOUTH LINE OF SAID PARCEL "2017-181", A DISTANCE OF 598.76 FEET FROM THE SOUTHEAST CORNER OF SAID PARCEL "2017-181"; THENCE N40°34'24"W, A DISTANCE OF 90.44 FEET TO A POINT; THENCE N26°07'11"W, A DISTANCE OF 139.62 FEET TO A POINT; THENCE N24°00'42"W, A DISTANCE OF 193.42 FEET TO THE END POINT OF THE CENTERLINE, BEING A POINT ON THE NORTH LINE OF SAID PARCEL "2017-181", A DISTANCE OF 64.20 FEET FROM A SOUTH BEND POINT ON THE NORTH LINE OF SAID PARCEL "2017-181", CONTAINING 1.634 ACRES MORE OR LESS.

EXHIBIT "A" - SANITARY SEWER EASEMENT, Pt. LOT 18, O.P. W1/2 SEC. 3-78-23 & PARCEL "2017-181", PLEASANT HILL, POLK COUNTY, IOWA
 PREPARED BY: MARK L. LEE, PE, PLS, LEE CHAMBERLIN CONSULTANT ENGINEERS, PLLC, 3117 115TH STREET, VAN METER, IOWA 50261, 515-669-4188



PLAT LEGEND

- ▲ FOUND SECTION CORNER MONUMENT
- FOUND MONUMENT FOUND 5/8" IRON ROD W/ YELLOW CAP #1582, UNLESS NOTED OTHERWISE
- FOUND RIGHT-OF-WAY RAIL
- ⊗ FOUND FENCE CORNER POST
- FOUND P.I., P.C., P.T., P.O.T.
- △ SECTION CORNER SET 3/4" IRON ROD W/YELLOW CAP #1582
- SET 3/4" IRON ROD W/YELLOW CAP #1582
- SET STEEL NAIL W/WASHER #1582
- IP IRON PIPE
- LR IRON ROD (OR ROD)
- MD MEASURED DIMENSION
- (P) PLATTED OR RECORDED DIMENSION
- P.O.B. POINT OF BEGINNING
- P.U.E. PUBLIC UTILITY EASEMENT
- SECTION LINE
- - - CENTERLINE
- - - EASEMENT LINE
- - - FENCE LINE

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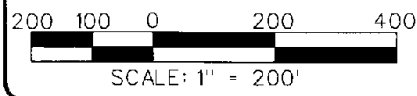
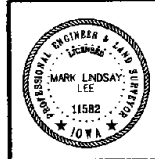


EXHIBIT "A" - SANITARY SEWER EASEMENT

OWNER: (BK15025 PG746 & BK12122 PG757-759) SUNRISE DEVELOPING COMPANY
 GLEN THOMAS
 5681 SE 6TH AVE
 PLEASANT HILL, IOWA 50327

SURVEY REQUESTED BY (DEVELOPER):
 KARIE RAMSEY
 PRAIRIE CREEK ENTERPRISES, LLC
 700B MADISON AVENUE
 URBANDALE, IOWA 50322

DATE OCTOBER 3, 2017 SHEET 1 of 1
 FIELD WORK PERFORMED:
 SEPTEMBER 26 THRU OCTOBER 3, 2017



I hereby certify that this land surveying document was prepared and the related surveying work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

Signature: *Mark Lindsay* Date: 10-31-17
 Name: (Printed or typed) MARK L. LEE
 License Number: 11582
 My license renewal date is December 31, 2018.
 Pages or sheets covered by this seal: SHEET 1