

AL



Doc ID: 035842390008 Type: GEN
Kind: EASEMENT
Recorded: 11/10/2020 at 11:55:57 AM
Fee Amt: \$42.00 Page 1 of 8
Revenue Tax: \$0.00
Polk County Iowa
JULIE M. HAGGERTY RECORDER
File# 2020-00054012

BK 18184 PG 226-233

RETURN

Prepared By: David L. Wetsch, Dickinson, Mackaman, Tyler, and Hagen, P.C., 1600 Hub Tower, Des Moines, IA 50309, 515-246-4555
When Recorded, Return to: City of Pleasant Hill, City Hall, 5160 Maple Drive, Suite A, Pleasant Hill, IA 50327

SANITARY SEWER EASEMENT

That **Yellowbanks, L.L.C.** (hereinafter called "Grantor"), in consideration of the sum of One Dollar (\$1.00) to be paid by the City of **Pleasant Hill, Iowa**, and other good and valuable consideration, the receipt of which is hereby acknowledged by the Grantor, does hereby sell, grant and convey unto the **City of Pleasant Hill, Iowa**, a municipal corporation (hereinafter called "City"), a perpetual **Sanitary Sewer Easement** for **sanitary sewer purposes, ingress and egress**, as from time to time determined by the City, over, under, on, through and across the properties described in Sanitary Sewer Easements 1 through 5, inclusive, as described on Exhibit "A" to the Official Plat Map, incorporated herein by this reference (hereinafter called "Easement Area"), for the purposes of installing any a **Sanitary Sewer** together with necessary appurtenances thereto, as well as constructing, reconstructing, repairing, replacing, enlarging, inspecting and maintaining the **Sanitary Sewer** and any appurtenances thereto, under, over, on, through and across said Easement Area.

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

1. **ERECTION OF STRUCTURES PROHIBITED.** Grantor and its successors and assigns shall not erect any structure, building, or fence over or within the Easement Areas without obtaining the prior written approval of the City Administrator or his designee.
2. **MAINTENANCE OF EASEMENT.** The owner or occupant of the Lot shall keep and preserve that portion of the easement within his property in good repair and condition at all times, and shall not plant nor permit to grow any trees or other vegetative growth within the Easement Area which might reasonably be expected to obstruct or impair the **Sanitary Sewer**.
3. **CHANGE IN GRADE PROHIBITED.** Grantor and its successors and assigns shall not change the grade, elevation or contour of any part of the Easement Area without obtaining the prior written consent of the City Administrator or his designee.
4. **RIGHT OF ACCESS.** City shall have the right of access to the Easement Areas from property adjacent to the Easement Areas 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 Areas and the right to improve, repair, and maintain the Easement Areas in whatever manner necessary consistent with its purpose.

- 5. **EASEMENT RUNS WITH LAND.** This Easement shall be perpetual, permanent and runs with the land and shall be binding on Grantor and on Grantor's successors and assigns.
- 6. **PROPERTY TO BE RESTORED.** Upon completion of any construction, reconstruction, repair, enlargement or maintenance of any improvements in any Easement Area, the City shall restore the easement area in good and workmanlike manner to a condition comparable to its condition before construction, reconstruction or alteration.

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.

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 30th day of October, 2020.

GRANTOR:

YELLOWBANKS, L.L.C

By: Karie Kading Ramsey, Manager

STATE OF IOWA)
)ss
COUNTY OF POLK)

This record was acknowledged before me on the 30th day of October, 2020, by Karie Kading Ramsey, to me personally known, who being by me duly sworn, did say that she is the Manager of the Limited Liability Company executing the within and foregoing instrument; that no seal has been procured by said Limited Liability Company; that said instrument was signed on behalf of the Limited Liability Company by authority of the Limited Liability Company; and that Karie Kading Ramsey as Manager, acknowledged the execution of the foregoing instrument to be the voluntary act and deed of the Limited Liability Company, by it and by her voluntarily executed.



[Signature]
NOTARY PUBLIC - STATE OF IOWA

EXHIBIT "A" - SANITARY SEWER EASEMENTS, LOTS 25, 17 TO 24 AND OUTLOT "Y" PRAIRIE CREEK PLAT 2 FINAL PLAT, PLEASANT HILL, POLK COUNTY, IOWA.

SANITARY SEWER EASEMENT #1

A Sanitary Sewer Easement located in LOT 25, PRAIRIE CREEK PLAT 2 FINAL PLAT, an official Plat, now included in and forming a part of the City of Pleasant Hill, Polk County, Iowa, more particularly described as follows:

Beginning at the Northeast Corner of said LOT 25, also being the Northwest Corner of LOT "C", PRAIRIE CREEK PLAT 2 FINAL PLAT; thence N86°59'58"W along the North line of said LOT 25, a distance of 20.00 feet; thence S03°00'02"W, a distance of 10.00 feet; thence S86°59'58"E, a distance of 10.00 feet; thence S03°00'02"W a distance of 184.48 feet; thence S16°00'24"W, a distance of 105.23 feet; thence S29°00'46"W, a distance of 339.38 feet; thence S86°59'55"E, a distance of 14.08 feet; thence N29°00'46"E along the East line of said LOT 25 also being the West line of said LOT "C", a distance of 321.71 feet; thence along a tangent curve to the left along the East Line of said LOT 25 having a length of 122.58 feet, a radius of 270.00 feet, a chord bearing of N16°00'24"E and a chord distance of 121.53 feet; thence N03°00'02"E along the East line of said LOT 25 being also the West line of said LOT "C", a distance of 194.48 feet to the Point of the Beginning, containing 0.181 ACRES more or less.

SANITARY SEWER AND INGRESS-EGRESS EASEMENT #2

A Sanitary Sewer and Ingress-Egress Easement located in LOT 25, PRAIRIE CREEK PLAT 2 FINAL PLAT, an official Plat, now included in and forming a part of the City of Pleasant Hill, Polk County, Iowa, more particularly described as follows:

Commencing at the Northeast Corner of said LOT 25, also being the Northwest Corner of LOT "C", PRAIRIE CREEK PLAT 2 FINAL PLAT; thence N86°59'58"W along the North line of said LOT 25, a distance of 20.00 feet; thence S03°00'02"W, a distance of 10.00 feet; thence S86°59'58"E, a distance of 10.00 feet; thence S03°00'02"W a distance of 80.01 feet to the Point of the Beginning; thence N86°59'55"W, a distance of 392.06 feet; thence along a tangent curve to the left having a length of 84.75 feet, a radius of 69.00 feet, a chord bearing of S57°48'52"W and a chord distance of 79.52 feet; thence S22°37'39"W, a distance of 155.28 feet; thence along a tangent curve to the left having a length of 97.40 feet, a radius of 55.00 feet, a chord bearing of S28°06'18"E and a chord distance of 85.16 feet; thence S86°59'55"E, a distance of 413.23 feet; thence N29°00'46"E, a distance of 64.54 feet; thence N86°59'55"W, a distance of 450.51 feet; thence N22°37'39"E, a distance of 158.19 feet; thence S86°59'55"E, a distance of 421.05 feet; thence N03°00'02"E, a distance of 58.00 feet to the Point of the Beginning, containing 1.346 ACRES more or less.

SANITARY SEWER AND INGRESS-EGRESS EASEMENT #3

A Sanitary Sewer and Ingress-Egress Easement located in LOT 25, PRAIRIE CREEK PLAT 2 FINAL PLAT, an official Plat, now included in and forming a part of the City of Pleasant Hill, Polk County, Iowa, more particularly described as follows:

Beginning at the Southeast Corner of said LOT 25, also being the Southwest Corner of LOT "C", PRAIRIE CREEK PLAT 2 FINAL PLAT; thence N24°45'31"W along the East line of said LOT 25, a distance of 81.00 feet; thence S65°14'29"W, a distance of 115.03 feet; thence N84°09'38"W, a distance of 513.74 feet; thence N18°16'54"W, a distance of 57.20 feet; thence N29°00'46"E, a distance of 126.05 feet; thence

S86°59'55"E, a distance of 452.88 feet; thence N03°00'05"E, a distance of 58.00 feet; thence N86°59'55"W, a distance of 402.17 feet; thence along a tangent curve to the right having a length of 28.35 feet, a radius of 14.00 feet, a chord bearing of N28°59'34"W and a chord distance of 23.75 feet; thence N29°00'46"E, a distance of 165.64 feet; thence S86°59'55"E, a distance of 437.68 feet; thence N29°00'46"E, a distance of 64.54 feet; thence N86°59'55"W, a distance of 436.85 feet; thence along a tangent curve to the left having a length of 77.06 feet, a radius of 69.00 feet, a chord bearing of S61°00'26"W and a chord distance of 73.12 feet; thence S29°00'46"W, a distance of 411.69 feet; thence along a tangent curve to the left having a length of 112.59 feet, a radius of 57.00 feet, a chord bearing of S27°34'26"E and a chord distance of 95.16 feet; thence S84°09'38"E, a distance of 542.46 feet; thence N65°14'29"E, a distance of 97.31 feet; thence S24°00'42"E, a distance of 41.00 feet to the South line of said LOT 25; thence N65°14'29"E along the South line of said LOT 25, a distance of 29.20 to the Point of the Beginning, containing 2.288 ACRES more or less.

SANITARY SEWER EASEMENT #5

A Sanitary Sewer Easement in LOTS "17" to "24" and OUTLOT "Y", PRAIRIE CREEK PLAT 2 FINAL PLAT, an official Plat, now included in and forming a part of the City of Pleasant Hill, Polk County, Iowa, more particularly described as follows:

Beginning at the Northwest Corner of said LOT "17", also being the Northeast Corner of LOT "A", PRAIRIE CREEK PLAT 2 FINAL PLAT; thence S86°59'58"E along the North line of Said LOT "17", a distance of 15.09 feet; thence S03°08'19"E, a distance of 616.58 feet; thence S86°50'46"W, a distance of 366.21 feet; thence N60°59'14"W, a distance of 205.11 feet to the point on the West line of said OUTLOT "Y" and also being the East line of LOT "C"; thence N29°00'46"E along the West line of said OUTLOT "Y", a distance of 7.00 feet; thence along a tangent curve to the right having a length of 12.57 feet, a radius of 8.00 feet, a chord bearing of N74°00'46"E and a chord distance of 11.31 feet; thence S60°59'14"E along the South line of LOT "B", being also a North line of said OUTLOT "Y", a distance of 142.33 feet; thence along a tangent curve to the left along the North line of said OUTLOT "Y" having a length of 98.25 feet, a radius of 175.00 feet, a chord bearing of S77°04'15"E and a chord distance of 96.96 feet; thence N86°50'46"E along the South line of LOT "B", being also a North line of said OUTLOT "Y", a distance of 296.43 feet to the Southwest corner of said LOT 24; thence N03°08'19"W along the East line of LOT "A" being also a West line of LOTS "17" to "24", a distance of 603.19 feet to the Point of the Beginning, containing 0.408 ACRES more or less.

INDEX LEGEND - EXHIBIT "A"

LOCATION:	PRAIRIE CREEK PLAT 2, PLEASANT HILL, POLK COUNTY, IOWA.
REQUESTOR:	YELLOWBANKS, L.L.C.
PROPRIETOR:	YELLOWBANKS, L.L.C.
SURVEYOR:	MARK L. LEE
SURVEY CO.:	LEE CHAMBERLIN CONSULTANT ENGINEERS
RETURN TO:	MARK L. LEE, PE, PLS 10430 New York Ave, Ste C URBANDALE, IA 50322-3773 TELE: (515) 669-4188 mlee@leechamberlinengineers.com

SHEET 1. DETAIL SURVEY
SHEET 2. DETAIL SURVEY
SHEET 3. DETAIL SURVEY
SHEET 4. LEGAL DESCRIPTIONS

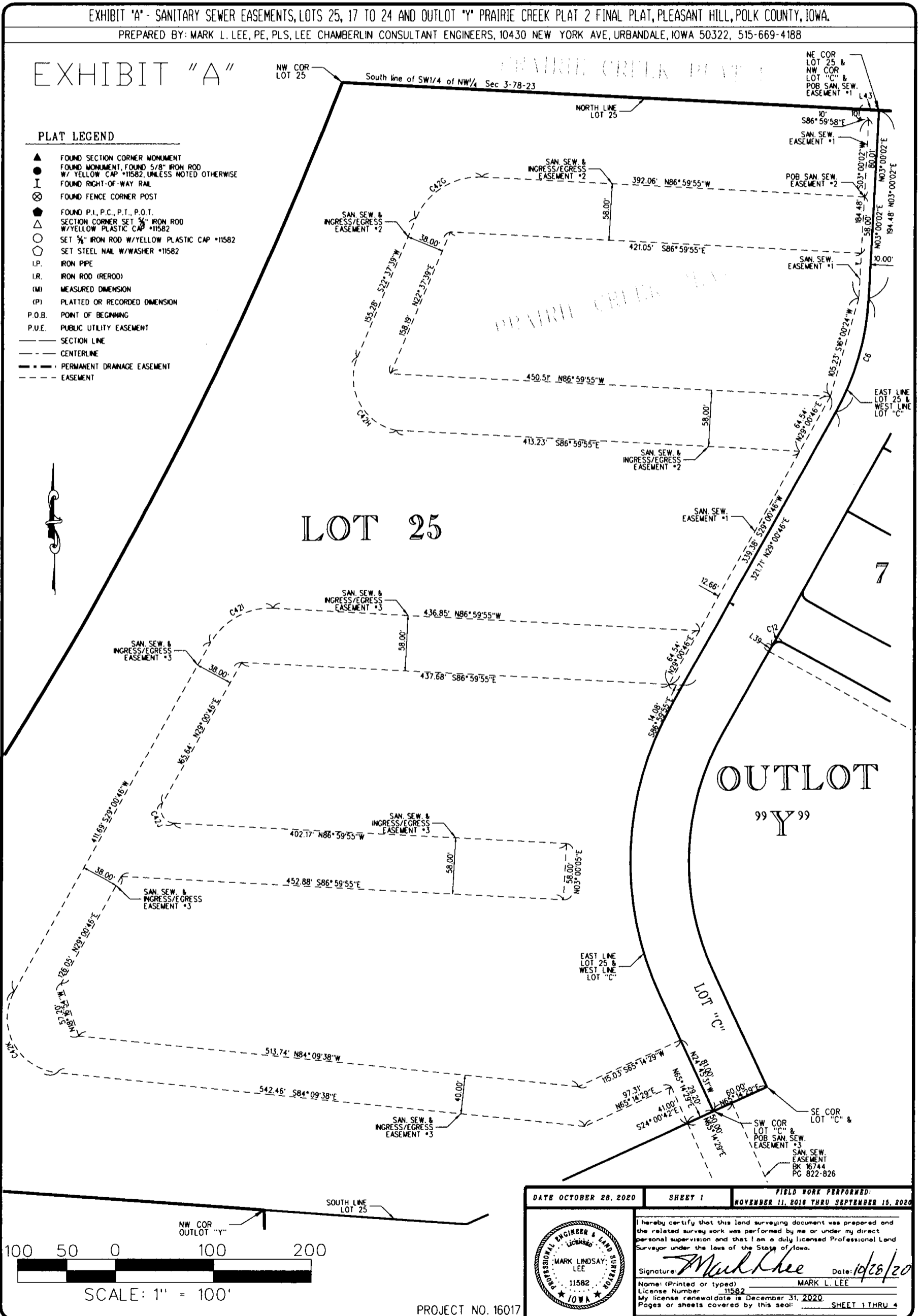


EXHIBIT "A" - SANITARY SEWER EASEMENTS, LOTS 25, 17 TO 24 AND OUTLOT "Y" PRAIRIE CREEK PLAT 2 FINAL PLAT, PLEASANT HILL, POLK COUNTY, IOWA.

PREPARED BY: MARK L. LEE, PE, PLS, LEE CHAMBERLIN CONSULTANT ENGINEERS, 10430 NEW YORK AVE, URBANDALE, IOWA 50322, 515-669-4188

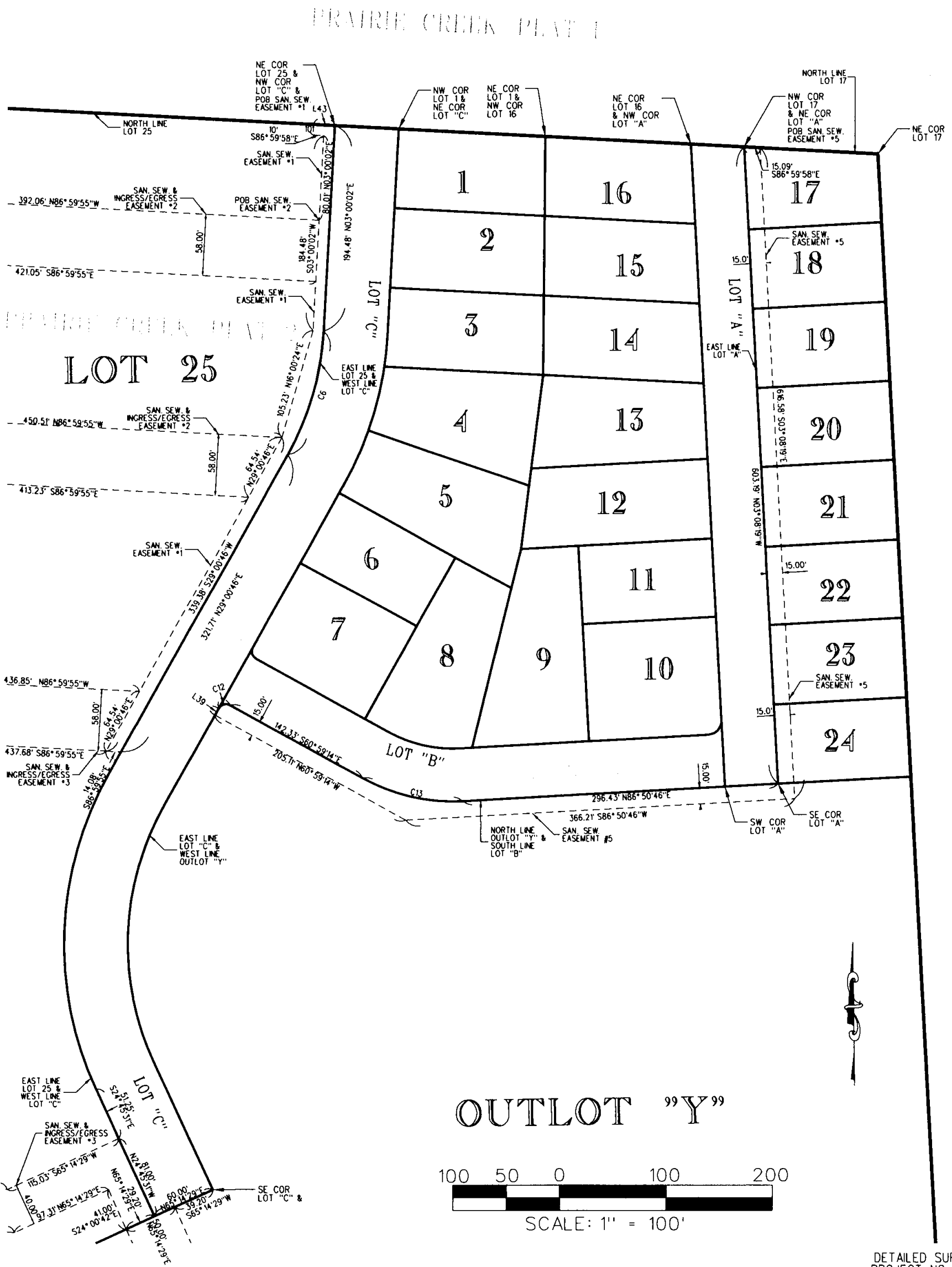
EXHIBIT "A"

CURVE TABULATION

CURVE	RADIUS	LENGTH	CH BRG	CH LENGTH	DELTA
C42G	69.00'	84.75'	S57°48'52"W	79.52'	70°22'25"
C42H	55.00'	97.40'	S28°06'18"E	85.16'	101°27'55"
C42I	69.00'	77.06'	S61°00'26"W	73.12'	63°59'20"
C42J	14.00'	28.35'	N28°59'34"W	23.75'	116°00'40"
C42K	57.00'	112.59'	S27°34'26"E	95.16'	113°10'24"
C12	8.00'	12.57'	N74°00'46"E	11.31'	90°00'00"
C13	175.00'	98.25'	S77°04'15"E	96.96'	32°09'59"
C6	270.00'	122.58'	N16°00'24"E	121.53'	26°00'44"

LINE TABULATION

LINE	LENGTH	LINE BRG
L39	07.00'	N29°00'46"E
L43	20.00'	N86°59'58"E



OUTLOT "Y"



DETAILED SURVEY PROJECT NO. 16017

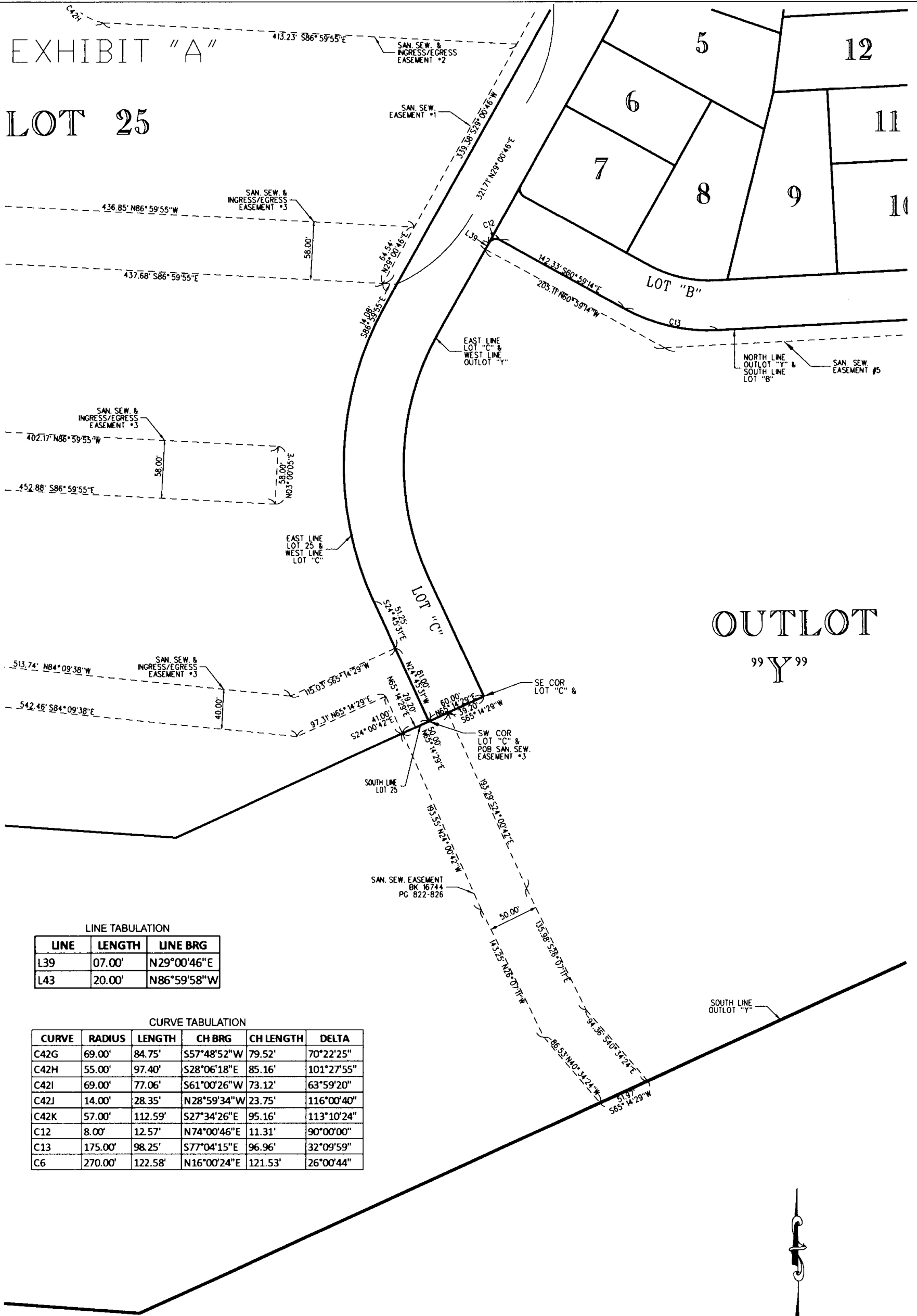
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EXHIBIT "A"

LOT 25

OUTLOT
"Y"



LINE TABULATION

LINE	LENGTH	LINE BRG
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100 50 0 100 200



SCALE: 1" = 100'

DETAILED SURVEY
PROJECT NO. 16017

DATE OCTOBER 28, 2020

SHEET 3

FIELD WORK PERFORMED:
NOVEMBER 11, 2016 THRU SEPTEMBER 15, 2020

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