



PLANNING & ZONING COMMISSION MEETING

ZOOM MEETING. ID: 947 3046 4177

MONDAY JUNE 15, 2020

6:00 P.M.

AGENDA

- 1. Roll Call**
- 2. Motion to approve the minutes from May 18, 2020**
- 3. Public Comments (5-minute limit for items not on this agenda)**
- 4. Business Items**
 - a. Hanks Residential Subdivision (Story County Plat)**
- 5. Informational Items**
- 6. City Administrator Communications**
- 7. Planning and Zoning Commission Comments**
- 8. Adjournment**

For more information on this and other agenda items, please call the City Clerk's Office at 515-597-2561 or visit the Clerk's Office, City Administration Building at 515 N. Main Ave. Agendas are available to the public at the City Clerk's Office on Friday morning preceding Monday's Planning & Zoning Commission meeting. Citizens can also request to receive meeting notices and agendas by email by calling the Clerk's Office or sending their request via email.

Minutes

Huxley Planning & Zoning Commission Minutes

Monday, May 18, 2020

Chairman Roger Bierbaum called the Zoom meeting order at 6:00 P.M.

ROLL CALL: Schonhorst, Mosher, Wilson, Scott, Frantz, Bierbaum. Patterson entered meeting at 6:12 P.M.

CITY STAFF PRESENT: Rita Conner – City Administrator, Amy Kaplan – Zoning Clerk

CONSULTANTS PRESENT: Forrest Aldrich-City Engineer

GUESTS PRESENT: Korey Marsh—Snyder & Associates, Steve Quick

MINUTES APPROVAL: Motion –Wilson, second –Schonhorst to approve minutes from April 20, 2020 meeting. 6 Aye. 0 Nay.

PUBLIC COMMENTS: None

BUSINESS ITEMS:

Fausch Family Agricultural Subdivision (Story County Plat): Motion—Schonhorst, second- Mosher to recommend approval to City Council noting that Planning & Zoning Commission has reviewed the subdivision and find it consistent with Huxley's Comp Plan. Additionally, a notation to staff to clarify the public improvement requirement in our Code of Ordinances. Frantz, Schonhorst, Scott, Wilson, Mosher, Bierbaum voted yes. Motion carried.

Patterson joined meeting at 6:12 P.M.

Meadow Lane Plat 4 Final Plat: Motion—Patterson, second- Schonhorst to recommend approval to City Council contingent upon the completion of paving work, any final punch list items for the public improvements with the contractor, resolution of any remaining engineering review comments and the receipt of the City Attorney's review of the consent to plat, declaration of covenants, treasurer's certificate and title opinion. Bierbaum, Mosher, Wilson, Scott, Schonhorst, Patterson, Frantz voted yes. Motion carried.

INFORMATIONAL ITEMS: None

CITY ADMINISTRATOR COMMUNICATIONS:

Connor: Hoping for a more traditional meeting in June, but appreciative of the commission's participation in the Zoom meeting format.

PLANNING AND ZONING COMMISSION COMMENTS:

Schonhorst: Appreciate the regular scheduled meetings.

Bierbaum: Next meeting is June 15th at 6 P.M.

Wilson: Why were the ADA ramps on 1st Ave & North Central replaced? Staff will follow up with Commission.

Wilson: Did the City inspect before Manatt's laid blacktop? Yes—The Street Superintendent and the City Engineer inspected.

Mosher: Requested an update on Council action regarding Fenceline Beer Lab's patio request and Ballard Creek's parking lot improvements: Fenceline's patio request has been tabled, Ballard Creek's parking lot improvements were approved by City Council. Going forward, staff will provide an update to the Planning & Zoning Commission each meeting regarding Council action.

ADJOURNMENT: Motion – Wilson, Second- Frantz to adjourn meeting at 6:33 P.M. 7 ayes, 0 nays. Motion carried.

Amy Kaplan, Zoning Clerk

Roger Bierbaum, Chairman

Date of Approval

Staff Report

PLANNING & ZONING COMMISSION COMMUNICATION

AGENDA HEADING:

Hanks Residential Subdivision (Story County Two-Mile Review)

SUBMITTED BY

Rita Conner, City Administrator

SYNOPSIS:

Ryan Roberts (517 Meadowbrook Place Huxley, Iowa 50124) has submitted materials to Story County Planning and Development for review of a planned 2 lot residential subdivision, to be known as the Hanks Residential Subdivision.

Additional information is below and in the attachments.

ADDITIONAL INFORMATION:

- The property is presented to the City of Huxley under the Iowa Code 2-mile review requirements; subdivision proposals within 2 miles of the Huxley city limits must go through city review.
- Long-range planning and potential future public infrastructure expenditures should be considered with rural subdivision development.
- The property contains an existing residence that will remain on Lot 1.
- This proposal is recommended for approval by the Planning & Zoning Commission

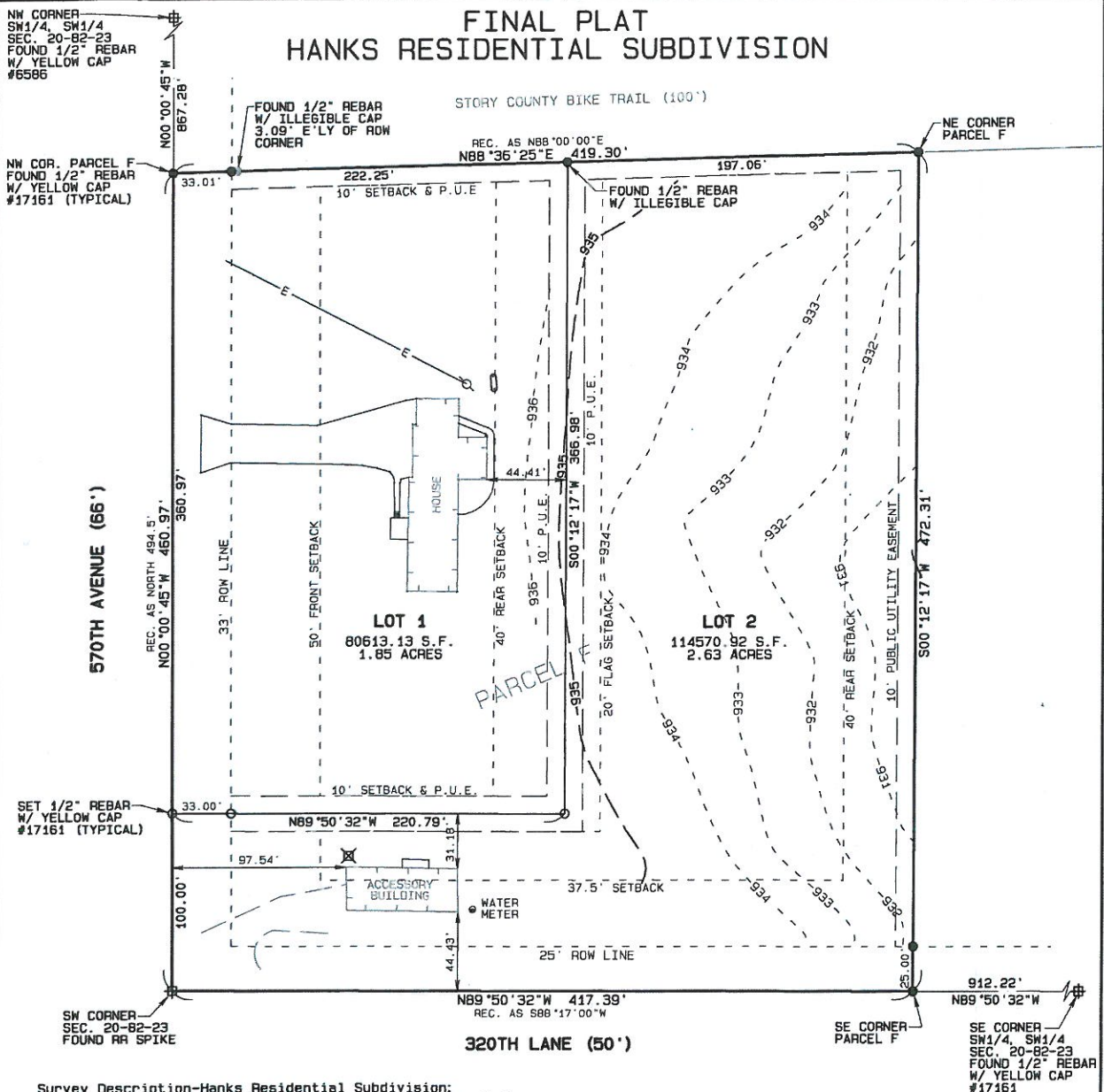
RECOMMENDATION: APPROVAL

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:

- June 23, 2020 City Council review of Planning & Zoning Commission recommendation

Hanks Residential Subdivision

FINAL PLAT HANKS RESIDENTIAL SUBDIVISION



Survey Description-Hanks Residential Subdivision:
A subdivision of Parcel F in the Southwest Quarter of the Southwest Quarter of Section 20, Township 82 North Range 23 West of the 5th P.M., Story County, Iowa, as shown on the Plat of Survey filed on December 4, 2014 in Slide 500, Page 3 and at Inst. No. 14-10762, and being more particularly described as follows: Beginning at the Southwest Corner of said Section 20; thence N00°00'45"W, 460.97 feet to the Northwest Corner of said Parcel F; thence N88°36'25"E, 419.30 feet along the Southerly line of said former railroad; thence S00°12'17"W, 472.31 feet to the South line of said Section 20; thence N89°50'32"W, 417.39 feet to the point of beginning, containing 4.48 acres, which includes 0.57 acres of existing public right of way.

NOTES:

1. Lot 1 is served by private septic and rural water.
2. Lot 2 will be served by private septic and rural water.
3. All new lots shall require an E911 address for inhabited structures, including residences and businesses, telecommunications towers and facilities, and for any public assembly area including open-air, outdoor activities. E911 addresses shall be assigned by Story County at the request of the property owner.

GRAPHIC SCALE 1"=60'



PROPRIETORS: DENNIS DEAN & HARRIETTE PAMELA HANKS

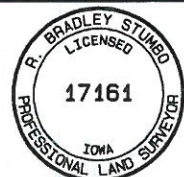
SURVEY REQUESTED BY: RYAN ROBERTS

**STUMBO & ASSOCIATES
LAND SURVEYING**

510 S. 17TH STREET, SUITE #102
AMES, IOWA 50010
PH. 515-233-3684 • FAX 515-233-4403

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

R. Bradley Stumbo
R. Bradley Stumbo License #17161
My license renewal date is December 31, 2015
Job #16736FP Date: 12/08/14 Page 1 of 1



Story County Planning and Development

900 6th Street, Nevada, Iowa 50201
(515) 382-7245 — pzweb@storycountyowa.gov — www.storycountyowa.gov



1. Property Owner*

(Last Name) Hanks
(First Name) Dennis & Harriette, P.
(Address) 31940 570th Ave.
(City) Cambridge (State) IA (Zip) 50046
(Phone) _____ (Email) _____

2. Applicant (if different than owner)

(Last Name) Roberts
(First Name) Ryan
(Address) 517 Meadow Brook Place
(City) Huxley (State) IA (Zip) 50124
(Phone) (415) 806-5815 (Email) rcr100@gmail.com

3. Property Address 31940 570th Ave., Cambridge, IA 50046

Parcel ID Number(s) 1420300360

4. Certification and Signature

I/we certify that the information and exhibits submitted are true and correct to the best of my knowledge and that in filing this application I am acting with the knowledge, consent and authority of the owners of the property. Pursuant to said authority, I hereby permit County officials to enter upon the property for the purpose of inspection.

*Acknowledgement of property owner is required and may occur via email or by signature of this application.

Property Owner Signature _____

Date _____

Applicant Signature _____

Date _____

☒ Subdivision

Proposed Name: Hanks Residential Subdivision

Filing Fee/Type (required prior to processing):

- ☒ Residential Parcel Plat (\$175)
- ☐ Agricultural Plat (\$175)
- ☐ Minor Plat (\$275)**
- ☐ Major Plat—Preliminary (\$275)**
- ☐ Major Plat— Final (\$175)**

**Conceptual Review required

Submittal Requirements:

- ☐ Attend conceptual review meeting
- ☐ Legal description that will be used on all required legal documents (submit as Word document)
- ☐ Proposed subdivision plat (submit as PDF)
- ☐ All required submittal requirements as outlined in Chapter 87 of the Story County Code of Ordinances (87.06(3) for Residential Parcel, 87.07(3) for Agricultural, 87.08(3) for Minor, 87.09(3) for Major-Preliminary and 87.09(5) for Major-Final)

- ☐ All required documents for subdivision plats as outlined in Iowa Code Chapter 354.11

☐ Vacation

Type: ☐ Right-of-way ☐ Plat

Submittal Requirements:

- ☐ Filing Fee (required prior to processing): \$175
- ☐ Legal description that will be used on all required legal documents (submit as Word document)
- ☐ Written description of requested items to be vacated
- ☐ See Chapter 87.10 for the vacation process

Receipt No. 119865617

Receipt Amount \$175

Approval of Subdivision Plat Name by Story County Auditor

Date _____

The Story County Auditor's Office has reviewed the final plat of: **HANKS
RESIDENTIAL SUBDIVISION**

Pursuant to Iowa Code §354.6(2) and §354.11(6), we approve of the subdivision name or title and have no objections to this subdivision plat being recorded.

Signed _____
County Auditor of Story County, Iowa

(SEAL)

CONSENT TO PLATTING

KNOW ALL PERSONS BY THIS INSTRUMENT:

That the undersigned, DENNIS HANKS & HARRIETTE P. HANKS, ("Owner") does hereby covenant that Owner is the lawful owner of real estate described as follows:

Parcel F in the Southwest Quarter of the Southwest Quarter of Section 20, Township 82 North Range 23 West of the 5th P.M., Story County, Iowa, as shown on the Plat of Survey filed on December 4, 2014 in Slide 500, Page 3 and at Inst. No. 14-10762, and being more particularly described as follows: Beginning at the Southwest Corner of said Section 20; thence N00°00'45"W, 460.97 feet to the Northwest Corner of said Parcel F; thence N88°36'25"E, 419.30 feet along the Southerly line of said former railroad; thence S00°12'17"W, 472.31 feet to the South line of said Section 20; thence N89°50'32"W, 417.39 feet to the point of beginning, containing 4.48 acres, which includes 0.57 acres of existing public right of way

Owner hereby certifies, acknowledges and declares that the platting of this real estate to be known as HANKS RESIDENTIAL SUBDIVISION is with Owner's free consent and in accordance with Owner's desire as proprietor.

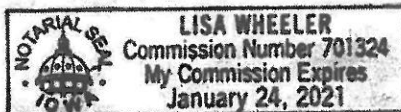
Dated this 27 day of May, 2020

Dennis Hanks
Dennis Hanks, Owner

Harriette P. Hanks
Harriette P. Hanks, Owner

State of Iowa, Story County, ss:

On this 27th day of May, 2020, before me, a Notary Public in and for Story County, Iowa, personally appeared Dennis Hanks and Harriette P. Hanks, a married couple, to me personally known, who being by me duly sworn, have each signed this instrument as the voluntary act and deed of each.



Lisa Wheeler
Notary Public in and for Story County, Iowa

RESOLUTION NO. _____

**A RESOLUTION ACCEPTING AND APPROVING
THE PLAT OF HANKS RESIDENTIAL SUBDIVISION**

WHEREAS, there has been submitted to the Board of Supervisors of Story County, Iowa, the Plat of HANKS RESIDENTIAL SUBDIVISION, a rural residential subdivision, within the Jurisdiction of Story County, Iowa, which plat involves the following described real estate:

Parcel F in the Southwest Quarter of the Southwest Quarter of Section 20, Township 82 North Range 23 West of the 5th P.M., Story County, Iowa, as shown on the Plat of Survey filed on December 4, 2014 in Slide 500, Page 3 and at Inst. No. 14-10762, and being more particularly described as follows: Beginning at the Southwest Corner of said Section 20; thence N00°00'45"W, 460.97 feet to the Northwest Corner of said Parcel F; thence N88°36'25"E, 419.30 feet along the Southerly line of said former railroad; thence S00°12'17"W, 472.31 feet to the South line of said Section 20; thence N89°50'32"W, 417.39 feet to the point of beginning, containing 4.48 acres, which includes 0.57 acres of existing public right of way

; and

WHEREAS, the Plat has been submitted to Story County, together with all additional materials required by Iowa law and Story County Code of Ordinances; and

WHEREAS, it is the opinion of the Board of Supervisors of Story County, Iowa, that it is advisable and in the best interests of Story County, and of the citizens thereof that the Plat be accepted and approved.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Story County, Iowa, that the Plat of HANKS RESIDENTIAL SUBDIVISION of Story County, Iowa, be and the same is hereby accepted and approved for and on behalf of the Story County, Iowa, and all acts and doings by the grantors in the premises are hereby confirmed and approved by the Board of Supervisors of Story County, Iowa.

The Clerk is directed to forthwith release an original copy of all subdivision platting documents to the owner or subdivider for recording with the Story County Recorder.

PASSED AND APPROVED this ____ day of _____.

Story County Board of Supervisors

Attest:

_____, County Auditor



Ryan L. Haaland
RyanHaaland@davisbrownlaw.com
phone: 515-288-2500
Ames Office

May 18, 2020

Ryan & Ranae Roberts
517 Meadow Brooke Pl.
Huxley, Iowa 50124

RE: Preliminary Title Opinion - Hanks Residential Parcel Subdivision

Ladies and Gentlemen:

I

As your attorney, we have examined an Abstract of Title commencing with the Root of Title entry, last continuation certified by Abstract & Title Services of Story County, and certified that it reflects all matters up to April 21, 2020, 8:00 a.m., and relating to the following property to be known as HANKS RESIDENTIAL SUBDIVISION:

Parcel F in the Southwest Quarter of the Southwest Quarter of Section 20, Township 82 North Range 23 West of the 5th P.M., Story County, Iowa, as shown on the Plat of Survey filed on December 4, 2014 in Slide 500, Page 3 and at Inst. No. 14-10762, and being more particularly described as follows: Beginning at the Southwest Corner of said Section 20; thence N00°00'45"W, 460.97 feet to the Northwest Corner of said Parcel F; thence N88°36'25"E, 419.30 feet along the Southerly line of said former railroad; thence S00°12'17"W, 472.31 feet to the South line of said Section 20; thence N89°50'32"W, 417.39 feet to the point of beginning, containing 4.48 acres, which includes 0.57 acres of existing public right of way

As of that date and time, we find from our examination that good and marketable title to the property described above is held by:

DENNIS HANKS & HARRIETTE P. HANKS
Husband and Wife

EXCEPT THAT we also find certain matters which could affect the right of the titleholder to sell the property or your right to keep it. Such matters are listed below and must be satisfactorily resolved before closing:

1. UNRELEASED MORTGAGES. None.
2. REAL ESTATE TAXES.

#3185599

DAVIS BROWN KOEHN SHORS & ROBERTS P.C.

PHONE 515.288.2500
FIRM FAX 515.243.0654
WWW.DAVISBROWNLAW.COM

THE DAVIS BROWN TOWER, 215 10TH ST., STE. 1300, DES MOINES, IA 50309
THE HIGHLAND BUILDING, 4201 WESTOWN PKWY., STE. 300, WEST DES MOINES, IA 50266
THE AMES OFFICE, 2605 NORTHRIDGE PKWY., AMES, IA 50010
THE EMMETTSBURG OFFICE, 2214 MAIN ST., P.O. BOX 314, EMMETTSBURG, IA 50536

- a. PIN 14-20-300-360 (Parcel "F"). Real estate taxes for fiscal year 2018-2019 are not certified.
 - b. PIN 14-20-300-365. Real estate taxes for fiscal year 2018-2019 show first half paid and second half paid. Each half is \$1,926.
 - c. PIN 14-20-300-375. Real estate taxes for fiscal year 2018-2019 show first half paid and second half paid. Each half is \$450.
3. **SEARCHES**. The certified abstract shows standard lien searches against titleholders, with nothing is shown except as set forth herein. A standard mechanic's lien search has been performed with nothing shown except as set forth herein.
4. **EASEMENT AND COVENANTS**. The following easements, covenants and restrictions are shown:
- a. There appears a Plat of Survey for Parcel "B" filed August 21, 1995, in Book 13, Page 120. All easements depicted upon the plat are binding against the property.
 - b. There appears a Plat of Survey for Parcel "F" filed December 4, 2014, as Inst. No. 14-10762. All easements depicted upon the plat are binding against the property.
 - c. There appears a Pipeline Easement to Northern Natural Gas Company filed November 10, 1968, in Book 103, Page 517.
 - d. There appears a Limited Easement to Iowa Regional Utilities Association d/b/a Central Iowa Water Association, filed August 6, 2001, as Inst. No. 01-10770.
 - e. There appears a Right of Way Deed to Chicago, Milwaukee & St. Paul Railway Company, filed May 30, 1881, in Book 32, Page 202.
 - f. Zoning Ordinances of Record.

II

There are other matters which could affect the property and which could cause expense to you, but because of their nature they cannot be shown in an Abstract of Title. Please advise if you desire our assistance to determine before closing if any of the following might cause a problem:

1. **MECHANICS LIEN**. Within the last 90 days someone may have completed a repair or improvement on the property, or provided materials for such repairs or improvements. If that person has not received payment for such labor or materials and if within that 90 days a claim is

posted on the Mechanic's Notice and Lien Registry on the Iowa Secretary of State's website ("MNLR") against the property, you could be required to pay the claim, even if posted after you pay for the property and take possession. As a general rule, there is no sure way to determine if there are any such unpaid claims. It is best to determine from the titleholders if any such work has been done. If this property is residential property, you should have a search conducted of the MNLR prior to closing to determine whether a Notice of Commencement and any Preliminary Notices have been posted against the property. If there has been a Notice of Commencement posted against the residential property, you should obtain a mechanic's lien waiver from each party who has posted a Notice of Commencement or Preliminary Notice against the property. If a Notice of Commencement has not been posted against the residential property, you should still determine if any work has been done in the last 90 days by a contractor who does not have any subcontractors or suppliers.

2. **SURVEY**. Normally a survey will show information concerning the location of rights-of-way, easements, and building setbacks. The law states that you have notice of the rights of all persons in possession of this property or any portion thereof, and rights which would be disclosed by a survey; therefore, it will also be a good idea to obtain a survey to find the location of corners and lot lines so that you can determine if adjoining landowners are using any part of this property, or if improvements on this property are encroaching.

3. **SPECIAL ASSESSMENTS**. An Abstract of Title makes no report of special assessments unless certified to the County Treasurer's Office. The lien for special assessments does not attach against the benefited property until certification to the County Treasurer's Office, but such a lien has priority equivalent to real estate taxes. A lien may attach against the property for work already preliminarily approved by the County Board of Supervisors or City Council. Your interest in the property would be subject to any such lien. This examiner suggests that contact be made with the County Board of Supervisors and the City to determine if there has been any resolution which might give rise to such a lien.

4. **LIENS FOR CHARGES FOR MUNICIPAL SERVICES**. An Abstract of Title does not report liens for services provided by the city, such as sewage disposal, and any other charges for services until they are certified to the County Treasurer. A lien for municipal services does not attach to the benefited property until certified to the County Treasurer's Office. A lien may attach against the property for services already rendered. Your interest in the property would be subject to any such lien. This examiner suggests that contact be made with the City to verify the currency of such payments.

5. **BANKRUPTCY**. If bankruptcy proceedings affecting the property have been commenced in any county other than the county in which the property is located, the abstracter will not have searched such proceedings. If you have any reason to believe that there may have been or is currently such a bankruptcy proceeding, please advise and we will arrange for an appropriate search of the bankruptcy records.

6. **ENVIRONMENTAL MATTERS.** An Abstract of Title will not disclose the existence of hazardous wastes, underground storage tanks, drainage wells, and other like environmentally regulated activities. You are cautioned that federal, state, and local legislation, may, in the event there are environmental and/or public health violations, permit injunctive relief and require "clean up" such as removal and remedial actions. The cost of such "clean up" may be a lien against the property and a personal liability. You may have liability even though you may not have disposed of hazardous wastes on the property or used any underground storage tanks. You should make appropriate inquiries regarding such matters and if possible, obtain suitable, written representations and indemnification from a financially responsible party.

7. **GOVERNMENTAL TAKING AND FORFEITURE.** There are federal and state laws and regulations (collectively "Governmental Regulations") that allow governmental entities to take possession of and/or forfeit your interest in, your property under certain circumstances. Your property may be taken for a public purpose under the power of eminent domain. Also, the use of your property for drug trafficking may result in the loss of the property even though you are not personally involved in, or aware of, the drug trafficking. This opinion is subject to any such Governmental Regulations, and the power exercised by any governmental entity pursuant to such Governmental Regulations.

8. **RESTRICTIVE COVENANTS.** Unless the property is part of a horizontal property regime or proprietary lease, use restrictions which were recorded more than 21 years ago and which have not been reserved are no longer enforceable and have not been included. Easements set forth in the use restrictions continue to be enforceable. Use restrictions filed within 21 years of the date of this title opinion or use restrictions recorded more than 21 years ago which have been preserved, if any, are included as attachments. You should review such use restrictions to determine how such restrictions affect your use of the property. If you wish to preserve the restrictions beyond 21 years after the date such restrictions were recorded, you should file a statement of preservation before the end of the 21 year period.

This opinion is directed only to you and is intended solely for your use and purposes. No other persons are entitled to rely hereon. This is only a preliminary title opinion based on pencil notes and we reserve the right to re-examine the Abstract of Title when typed in permanent form before giving you our final opinion. This opinion is subject to our findings upon such re-examination.

Respectfully submitted,

DAVIS, BROWN, KOEHN, SHORS & ROBERTS, P.C.

A handwritten signature in dark ink, appearing to read 'Ryan L. Haaland', is written over the printed name.

Ryan L. Haaland
Iowa Title Guaranty No. 10370

**PUBLIC UTILITY EASEMENT
Recorders Cover Sheet**

Preparer Information:

Ryan L. Haaland
Davis Brown Law Firm
2605 Northridge Parkway
Ames, Iowa 50010

Return Document To:

Ranae M. Roberts
517 Meadow Brooke Place
Huxley, Iowa 50124

Grantor:

Dennis Hanks & Harriette P. Hanks
31940 570th Avenue
Cambridge, Iowa 50046

Grantee:

Story County, Iowa

Legal Description: See Exhibit A.

PUBLIC UTILITY EASEMENT

KNOW ALL PERSONS BY THESE PRESENTS:

That DENNIS HANKS & HARRIETTE P. HANKS, a married couple, (collectively, the "Grantor") in consideration of the sum of One Dollar (\$1.00) to be paid by the STORY COUNTY, 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 **STORY COUNTY, IOWA**, a political subdivision of the State of Iowa (the "County"), and to all public utilities who may require use of the Easement Areas (defined herein), a perpetual public utility right-of-way easement, over, under, through, across and within the following described real estate:

See legal descriptions in Exhibit A, attached hereto and incorporated herein by this reference,

(the "Easement Areas") for the purpose of the County constructing, reconstructing, repairing, grading, improving, and maintaining public utilities, including, but not limited to, natural gas, telephone, sanitary sewer, storm drainage, water mains, and other public utilities, together with necessary appurtenances thereto, under, over, through, across and within said Easement Areas.

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 County or its designee.

2. **MAINTENANCE OF EASEMENT.** The owner or occupant of the affected lot shall keep and preserve that portion of the Easement Areas within its 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 Areas which might reasonably be expected to obstruct or impair the purposes of the easement.

3. **CHANGE IN GRADE PROHIBITED.** Grantor and their respective successors and assigns shall not change the grade, elevation or contour of any part of the Easement Areas without obtaining the prior written consent of the County or its designee.

4. **RIGHT OF ACCESS.** County and public utilities 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 Areas 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 or consistent with its purpose.

5. **EASEMENT RUNS WITH LAND.** This Easement shall be perpetual, permanent and run with the land and shall be binding on Grantor and on Grantor's respective successors and assigns.

6. **PROPERTY TO BE RESTORED.** Upon completion of any construction, reconstruction, repair, enlargement or maintenance of any improvements in any Easement Areas, the County 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 County that respective Grantor holds said real estate described in this Easement by fee simple title; 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.

[End of Instrument; Signature Page Follows]

IN WITNESS WHEREOF WE have hereunto affixed our hands this 27 day of May 2020.

DENNIS HANKS

Dennis Hanks
(Signature)

HARRIETTE P. HANKS

Harriette P. Hanks
(Signature)

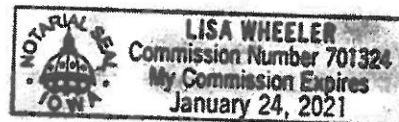
STATE OF IOWA)

ss:

COUNTY OF Story)

Now on this 27th day of May 2020, before me personally appeared Dennis Hanks and Harriette P. Hanks, a married couple, and executed and acknowledged this foregoing instrument as their voluntary act and deed.

Lisa Wheeler
Notary Public in and for the State of Iowa
My Commission Expires: Jan. 24, 2021



[End of Signature Pages; Exhibits to Follow]

Exhibit "A"
Legal Description of Easement Areas

PUBLIC UTILITY EASEMENT DESCRIPTION:

The North Ten Feet (10'), except the West Thirty-three Feet (33') thereof; the East Ten Feet (10'); and the South Ten Feet (10'), except the West Thirty-three (33') thereof; all in Lot One (1), Hanks Residential Subdivision, Story County, Iowa; AND

The North Ten Feet (10'); the East Ten Feet (10'), except the South Twenty-five Feet (25') thereof; the North Ten Feet (10') of the South One Hundred Feet (100') of the West Two Hundred Thirty and Seventy-nine Hundredths Feet (230.79'), except the West Thirty-three Feet (33') thereof; and the West Ten Feet (10') of the East One Hundred Ninety-seven and Six Hundredths Feet (197.06') of the North Three Hundred Sixty-six and Ninety-eight Hundredths Feet (366.98'); all in Lot Two (2), Hanks Residential Subdivision, Story County, Iowa.

Prepared By: Ryan L. Haaland, 2605 Northridge Parkway, Ames, IA 50010; (515) 288-2500
Return To: Same As Above

TREASURER'S CERTIFICATE

State of Iowa, County of Story, ss.:

I, Ted Rasmusson, Treasurer of Story County, Iowa, in accordance with Iowa Code sections 354.11 and 354.12, hereby certify that the real property described in the attached subdivision plat to be known as: HANKS RESIDENTIAL SUBDIVISION

is free from certified taxes and certified special assessments. More particularly, the official records of my office show that all certified taxes and special assessments have been paid in full for the parcel of land presently having the following tax parcel identification numbers: **1420300365**

which, based upon the representations of the owner identified in the Consent to Platting to which this certificate is attached, are all the lands included in said subdivision plat.

In witness whereof, I have subscribed and sealed this certificate on the ____ day of _____, 2020.

TED RASMUSSON
Treasurer, Story County, Iowa

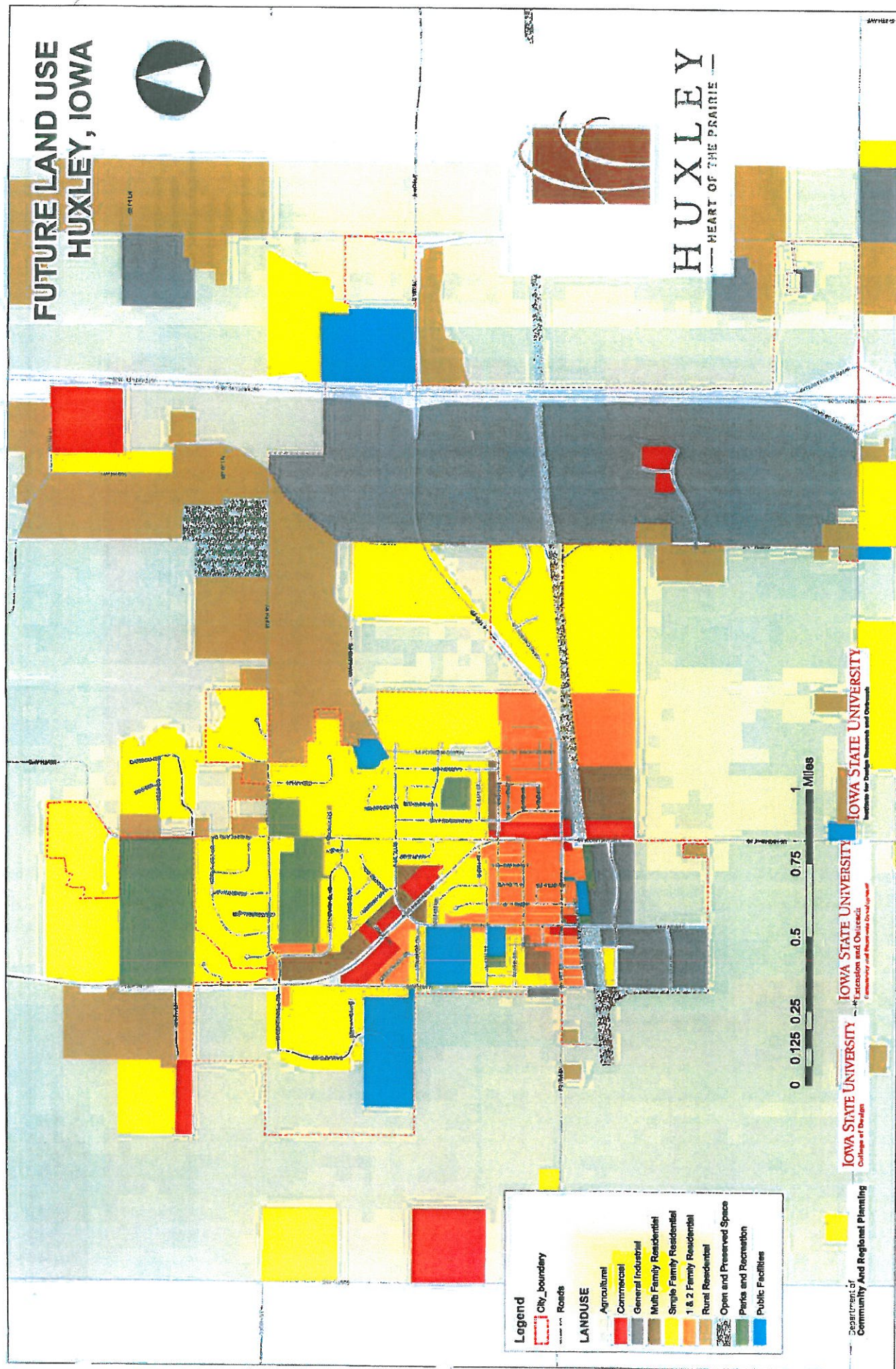
[SEAL]

Land Use and Growth Management Maps Informal Review

FUTURE LAND USE HUXLEY, IOWA



HUXLEY
— HEART OF THE PRAIRIE —



Legend

City boundary

Roads

LAND USE

Agricultural

Commercial

General Industrial

Multi Family Residential

Single Family Residential

1 & 2 Family Residential

Rural Residential

Open and Preserved Space

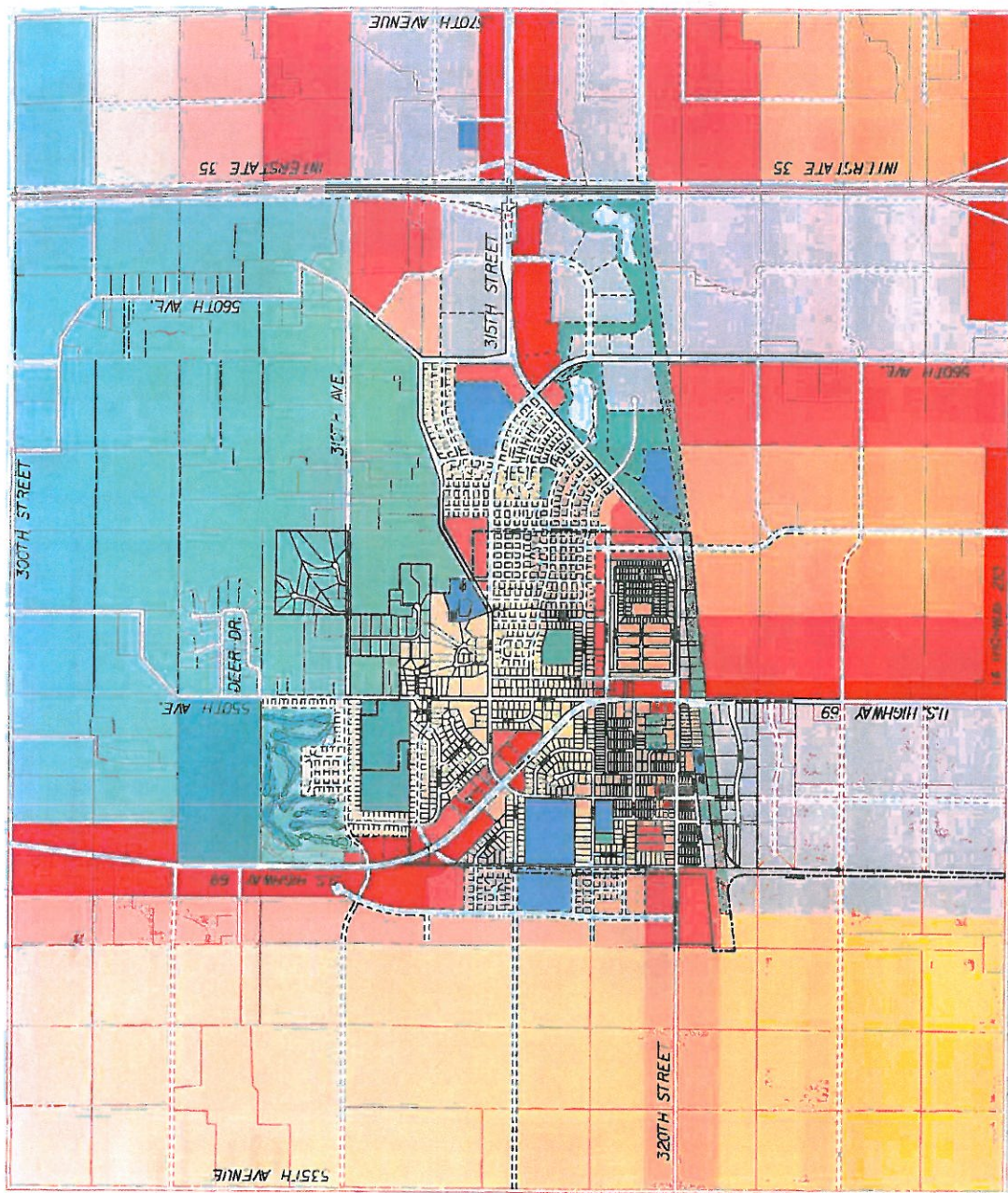
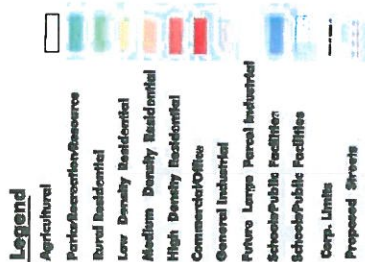
Parks and Recreation

Public Facilities

0 0.125 0.25 0.5 0.75 1 Miles

IOWA STATE UNIVERSITY
College of Design
IOWA STATE UNIVERSITY
Extension and Outreach
IOWA STATE UNIVERSITY
Institute for Design Research and Outreach

Department of
Community and Regional Planning



CONSULTING ENGINEERS & PLANNERS

SNYDER & ASSOCIATES, INC.

2000 N. W. 10TH AVE.
SUITE 515, MIAMI BEACH, FL 33139
PHONE: 314-664-0028

CLIFFE, IRVING
CHARTERED FLS
PHONE: 715-442-4000

2000 N. W. 10TH AVE.
SUITE 515, MIAMI BEACH, FL 33139
PHONE: 314-664-0028