

**CITY OF ANKENY, IOWA
OFFER TO PURCHASE EASEMENT**

To Seller: Menard, Inc.

1. **Property Description.** The City of Ankeny, Iowa, on behalf of the State of Iowa, intends to acquire the easement on property owned by you situated in Ankeny, Iowa, and legally described on the attached Exhibit, and is, by this reference, made a part hereof.
2. **Price.** The City of Ankeny agrees to pay \$8,600.00, calculated as follows:

Temporary Easement: 3,600 s.f. x \$15.00 x 8% x 2 years \$8,640.00
3. **Purpose of the Acquisition.** Seller will grant to the State of Iowa a temporary easement for the purpose of the IA 160/SE Oralabor Road and SE Delaware Avenue Roadway and Traffic Signal Improvements. The Acquisition Plat attached to this Agreement illustrates the proposed temporary easement area being granted. The temporary easement shall terminate on completion of this highway project.
4. **Real Estate Taxes.** The acquisition shall not affect the liability of the Seller for payment of real estate taxes when due.
5. **Possession.** Possession shall be upon receipt of funds.
6. **Conveyance.** Upon payment of the purchase price, Seller shall convey the easement to the State of Iowa, in accordance with the form provided by the City.
7. **Time is of the Essence.** Time is of the essence in this contract.
8. **Contract Binding on Successors-in-Interest.** This contract shall apply to and bind the successors-in-interest of the Seller, and Seller agrees to warrant good and sufficient title.
9. **Construction.** Words and phrases shall be construed as in the singular or plural number, and as masculine, feminine, or neuter gender, according to the context.
10. **Execution of Offer.** This Offer is executed by the City of Ankeny, Iowa, on behalf of the State of Iowa and is subject to ratification by the City Council upon its acceptance by Seller.

Dated at Ankeny, Iowa, this _____ day of _____, 2016.

FOR THE CITY OF ANKENY, IOWA

By: _____
Amy S. Beattie, City Attorney

THIS OFFER IS ACCEPTED on this _____ day of _____, 2016.

By: _____

By: _____

Approved by the City Council of the City of Ankeny on the _____ day of _____,
2016, by Resolution No. _____.

By: _____
Gary Lorenz, Mayor

Attest: _____
Pamela DeMouth, City Clerk