TEMPORARY EASEMENT FOR CONSTRUCTION

KNOW ALL BY THESE PRESENTS:

That **KD and Magdalena E. Voy** (hereinafter called "Grantor") in consideration of mutual benefit and other valuable consideration in hand 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, in the County of Polk, State of Iowa, a temporary easement across the following described real estate:

As per attached exhibit

That said easement is granted unto the City of Ankeny, Iowa, for the purpose of the access, construction, installation and repair of the following described public improvement:

SE Tributary (B) to Fourmile Creek – Stream Stabilization Project

In connection herewith it is specifically agreed that by this easement, the City of Ankeny shall have the right to enter upon said premises as shall be necessary to construct, inspect, and repair, any and all of said improvements and all appurtenances thereto, together with the right to use said improvements as it deems necessary.

The said municipal corporation shall restore said described land to a satisfactory condition after construction and/or repair in satisfactory condition as per plan.

This easement shall be for the period of time necessary to construct this improvement and will expire upon final acceptance of the project by the City Council of the City of Ankeny.

That the grantors do hereby covenant with said grantee, and successors in interest, that said grantors hold said real estate by title and fee simple; that they have good and lawful authority to sell and convey the same; that said premises are free and clear of all liens and encumbrances whatsoever except as may be hereinabove stated; that said grantors covenant to warrant and defend the said premises against the lawful claims of all persons whomsoever, except as may be above stated.

IN WITNESS WHEREOF WE have hereunto affixed our hands this 7 day of August, 2010.

BY: K. D. Voy

K. D. Voy

BY: Magdalena E. Voy

Magdalena E. Voy

STATE OF IOWA :

: ss.

COUNTY OF POLK :

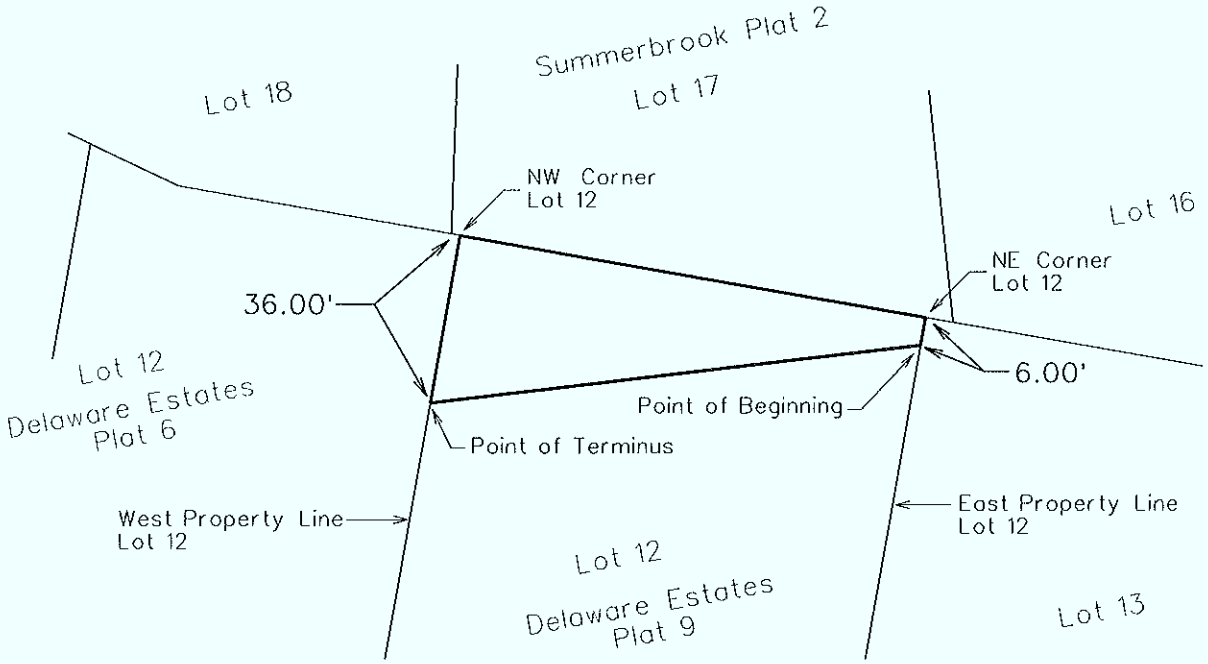
On the 7 day of August, 2010, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared K D Joy and Magdalena Joy to me known to be the person(s) named in and who executed the foregoing instrument, and acknowledged that he/she/they executed the same as a voluntary act and deed.

Notary in and for the State of Iowa

My Commission Expires 6/21/2013

NOTARIAL SEAL IOWA
GREGORY BOOR
Commission Number 763563
My Commission Expires
6/21/2012

TEMPORARY CONSTRUCTION EASEMENT



Temporary Construction Easement Description:

A part of Lot 12, Delaware Estates Plat 9, an Official Plat in the City of Ankeny, Polk County, Iowa and lying Northwest of the following described line:

Beginning at a point on the East line of said Lot 12 being 6.00 feet South of the Northeast corner thereof; Thence Southwest to a Point of Terminus on the West line of said Lot 12, said point being 36.00 feet South of the Northwest corner thereof.

Described Temporary Construction Easement contains 2,099 S.F.

0 40

SCALE (FEET)

LEGEND

Property Line
Temporary Easement Line

SE TRIBUTARY (B) TO FOUR MILE CREEK

PARCEL 15 - KD & MAGDALENA VOY

SNYDER & ASSOCIATES
Engineers and Planners

2727 S.W. SNYDER BLVD.
ANKENY, IA 50023 (515) 964-2020

SHEET	1 OF 1
PN:	1100450
SCALE:	1" = 40'
DATE:	06/24/10
TECH:	JCC

V:\print_drivers\Block_Gray\PDF_Half.plt
V:\PEN\DATE.TBL
Snyder

D:\Projects\2\Parcel15.ecs
6/29/2010
JCC