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MICHELLE "MICKI" UTSLER, COUNTY RECORDER
MADISON IOWA

COMPUTER ✓
RECORDED ✓
COMPARED ✓

Prepared By: Todd R. Hagan, P.E., Madison County Engineer, 1105 E. Court Ave., Winterset, Iowa 50273, Telephone: (515) 462-1136

# AGREEMENT

THIS AGREEMENT made and entered into by and between MADISON COUNTY, IOWA and the CITY OF WINTERSET, IOWA, hereinafter called the County and City respectively.

WHEREAS, it is necessary for the City to comply with certain statutory provisions of the Code of Iowa.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The City expressly agrees that the County shall be the contracting authority for all grading, drainage structures, and paving work done within the corporate limits from the intersection with 10th Street, thence east on East Court Avenue, Project No. FM-CO61(68)--55-61, and W. Summit Street from State Highway 92 to 16th Street, Project No. FM-CO61(69)--55-61.
2. The County shall develop plans for all work within the corporate limits of the City for grading, drainage structures, and paving.
3. The County shall do all necessary engineering and construction inspection within the corporate limits of the City for grading, drainage structures, and paving.
4. All work shall be done in strict compliance with the plans developed by the County and approved by the City.
5. Any required deviations from the plans must have prior approval from the City for that area within the corporate limits.
6. The County shall pay all construction costs.
7. The City agrees to move or replace its utilities as needed within the limits of the proposed project without expense to the County. Where the City utility departments (water, sanitary

sewer, storm sewer, and electric), may be digging trenches prior to the proposed construction, the City will require that all backfilling and compaction of ditches shall be made in accordance with the current Standard Specifications of the Iowa Department of Transportation. The work is subject to the approval of the County Engineer.

8. The parties agree that, after execution, this Agreement shall be filed with the Secretary of State of the State of Iowa and the Madison County Recorder in accordance with the provisions of the Code of Iowa, Section 28E.8 (2003).

9. The parties hereto shall approve this Agreement by resolution which shall authorize the Mayor and Clerk of the City and the Supervisors of the County to execute this Agreement.

DATED this 3 day of May, 2004.

**MADISON COUNTY, IOWA**

BY _____ (Chairman) V.C.

BY _____ (Supervisor) Vice Chair

BY _____ (Supervisor)

ATTEST _____ (Auditor)

**CITY OF WINTERSET, IOWA**

BY _____ (Mayor)

ATTEST _____ (Clerk)