REC 10.00 AUD \$_ R.M.F. \$ / 00

FILED NO. 5334 BOOK 45 PAGE 744

99 JUN 28 PH 3: 30

COMPUTER RECORDED

COMPARED_

MICHELLE UTSLER RECORDER MADISON COUNTY-TOWA

Edward M. Fletcher **Authorized Residency Representative**

701 E. Taylor, Creston, IA 50801 Address

515-782-4310

Telephone Number

ENTER PREPARER'S NAME, ADDRESS, AND TELEPHONE NUMBER ON BLANK LINES ABOVE. LEAVE REMAINING TOP PORTION BLANK FOR COUNTY RECORDER'S USE.

lowa Department of Transportation

MAINTENANCE DIVISION **ENTRANCE PERMIT**

Permit Number _ 61-99-01 <u>Madison</u> County _____ <u>Madison</u>
Project F-169-3(27)--20-61

(Application for Permit to Construct Entrance from Private Property to Primary Road or Primary Road Extension)			Highway NumberU_S	5. 169
ApplicantEnolia Payne Buck				
	(Owner or Owners	of Record)	 ~	
		<u></u>	515-4	162-4281
Address 1671 Highway 169 Nort	n, Winterset, IA	50273	(Date)	<u>14</u> . 19 <u>99</u>
A permit is hereby requested to construct				
n/a meters (or 18 feet) in width	th, from right of way line to	o primary road trav	reled way, including necess	sary drainage structure
thereunder at station221+75				
n/a meter (or 10 feet) radius			side. The entrance sha	in he constructed with
	NCE AS PROPOSED TO	O RE CONSTRU	CTED IS ATTACHED	
	IS A PART OF THIS AP			
Proposed entrance is located on Primary Road	1 No <u>169</u> , Sec7	<u>′т76</u>	<u>5N</u> R. <u>27W</u> , <u></u>	Madison
County, <u>4.00</u> . Miles	north (Direction)	from	Winterset	more specifically
described as follows:			,	
Approximately 23	<u>25 feet south of</u>	the north se	ection line of Sec	2. 7-76-27
				
***************************************	***********			****************
We, the undersigned, are the owner, or owner	s, of record, or the legal	and duly authoriz	ed representative of the o	wner, of the property
abutting Primary Road U.S. 169	between Sta	ation 211	L+00+	рн 73.14 and
Station MP# MP#	_ <u>/4.45</u> on the	west	side and agree t	that we shall save the
State and Iowa Department of Transportation	harmless of any damage	or losses that ma	ay be sustained by any p	erson, or persons, on
account of the conditions and requirements of render this agreement and request null and void.	this agreement. Failure to	comply with cond	ditions and requirements o	f this agreement shall
		KL	the amo	
Caslic Sarpe Buch	Address /	Signature	E Marie	
Enolia Payne Buck		+ cut-1	H. toyne	Address
**************************************	******************	Type or Print Name		***********
State of Notok	ACKNOWLED	GEMENT	/	
The Name		(1)) MOO	e all
County of JULICUSUIL		د لک	erlan G. Col	whitey-
On this 10th day of Chill	A.D. 19 9 , bo	etore me	der Vaxoro	n Steph
a Notary Public in and for said State of		rsonally appeared	Fruita Payou	Burl
and	<u>,</u>	*	be the person(s), named in	n and who execute the
foregoing instrument, and asknowledge, that	Lf5 executed the sar	me as a voluntary a		TONG WITH CAROUTE INC.
TERESA K. GOLIGHTLY MY COMMISSION EXPIRES		Weres	K Ydeshet	ــــــــــــــــــــــــــــــــــــــ
**************************************	eviewed and Recommen	dollowing activ	Notary Public in and for sa	id State
☐ APPROVE ☐ DENY	MICHEU AND RECOMMEN	APPROVE	on: DENY	
		Than 12	Thombson	1 11-99
Authorized City or Town Official	Date	Arthorized County	Zoning Official	Date
**************************************	Department of Transport	ortation Action:	****************	***************
APPLICA	ATION APPROVED	APPLICATION	ON DENIED	
On behalf of the Department of Transportation		the above actio		s application on this
BY Jos Small	A.U., 19-7-			
Aythorized Transportation Conter Representativ	е			
Notice of the construction start date is to be	tittettitititititititititititititititit	AS bours in adve		**************************************
<u>Gene Purdy</u> , <u>Greenfield Maint</u> .				-743-8324
Name	Address			phone Number
To be recorded by State for applications on all	Primary Highways excep	it the Priority VI S	ystem. On the Priority VI	System, the applicant

Disclosure Statement: The information furnished on this form will be used by the Department of Transportation to determine approval or denial of the application. Failure to provide all information will result in denial of the application. Information furnished is public information and copies may be provided to the public upon request

 $V(Y_i, \mathcal{C})$

	applicant agrees that if granted a permit to construct the entrance as requested, the following stipulations shall govern.				
	ENERALL MANAGEMENT OF A CONTROL OF A CONTROL OF THE				
1	. Words and phrases herein, including acknowledgement hereof, shall be construed as in the singular or plural, and as masculine, feminine or neuter gender according to the context.				
2	. Stipulations and requirements contained herein are not intended to waive greater requirement of local zoning ordinances.				
3	. Owner's attention is directed to the fact that private property may not be used so as to obstruct or encumber the public highway right of way, or interfere with the safety, comfort and rights of public highway users.				
	. A copy of the approved application shall be available on the job site at all times for examination by the Department officials.				
5	Subject to the approval of this application and upon completion of the constructing of the entrance in compliance with the terms agreed upon in this document and attachment, no changes in the entrance or its location shall be undertaken without the prior written approval of the Department.				
6	The owner shall be responsible for all future maintenance costs associated with maintaining the access in a safe state of repair from the outer shoulder of the primary highway to the right of way line.				
	 a. If a drainage structure is required as a part of the permit application, the Department shall be responsible for maintaining that portion of the drainage structure located within the primary highway rights of way. 				
	b. Nothing in this stipulation, however, shall preclude the Department from entering upon said entrance on highway right of way and performing necessary maintenance for the protection of the highway or highway user.				
7	In the future, should this entrance generate sufficient traffic to warrant a need for additional traffic control upon the primary road system, costs for these improvements shall be the responsibility of the owner and shall be constructed in accordance with the Department standards. These may include but would not necessarily be limited to the constructing of turn lanes and/or signalization.				
	. That all provisions herein relating to the construction, repair or maintenance of the entrance shall be binding on all successors or assigns of the owner.				
B: iL	IABILITY TO SERVE SERVE AND				
1	. The Owner(s) shall indemnify and save harmless the State of Iowa, its agencies and employees, from any and all causes of action, suits at law or in equity, for losses, damages, claims or demands, and from any and all liability and expense of whatsoever nature, arising out of or in connection with owner's use or occupancy of the public highway.				
2	If the Owner(s) should fail to comply with any of the conditions and requirements of this agreement, the Department may terminate it, whereupon the owner(s) shall immediately remove any construction undertaken pursuant to this agreement and restore the access(es) previously existing and any rights granted the owner(s) by this agreement shall end.				
CKI	IOTHICATION REPORT TO THE PROPERTY OF THE PROP				
	Before beginning any work in the highway right of way, it is the responsibility of the owner(s) to:				
	a. Contact utility companies which may be located in the area of the proposed work. Contact should be made by calling lowa One Call at 1-800-292-8989, a minimum of 48 hours in advance of starting construction.				
	 b. Contact the Department's Representative as noted near the bottom of the front page, a minimum of 48 hours in advance of intention to start construction. 				
D. (ONSTRUCTION AND MAINTENANCE				
1	The construction of the entrance shall be completed by the 31st day of December 19 99 (The permit is null and void if entrance is not completed by the above unless extension is granted in writing by the Department.)				
2	Unless specifically noted in this application, all work performed within the right of way shall be restricted to a time frame of 30 minutes after sunrise to 30 minutes before sunset.				
3	 The access, including drainage structure, grading and surfacing and entrance configuration shall be constructed by the owner at the owner's expense, in accordance with the exhibit and attachments hereto, and in conformity with the standard specifications of the Department of Transportation. 				
4	4. That the construction, future repair or maintenance of said entrance shall be carried on in such a way as not to interfere with, or interrupt traffic on said highway, and the owner shall take all reasonable precautions to protect and safeguard the lives and property of any person or persons, on account of such construction, repair or maintenance operation.				
5	That no filling will be permitted in the right of way of primary road NoUS_169 other than that necessary to construct the proposed entrance or as specifically stated herein.				
6	In a rural-designed area, to prevent water draining on the pavement or traveled way of the primary highway, the finished surface				
	elevation of the entrance over the pipe or place where the pipe would normally be placed shall bemillimeters				
	(or4 inches) lower than the highway shoulder elevation.				
	a. If required, the culvert pipe under the entrance shall be <u>n/a</u> millimeters (or <u>24</u> inches) in diameter and <u>n/a</u> meters (or <u>60</u> feet) in length as shown on the attached sketch and of a quality				
	complying with Sections 2422, 4141, 4145 and 4146 of the Department's Metric Standard and Specifications, Series 1995, or subsequent revision. The pipe shall be installed at the elevation specified by the Department's engineer.				
	In an urban-designed area, where drainage is carried along an existing curb, the entrance shall be consructed with a rise in elevation of 150 to 225 millimeters (5.9 to 8.9 inches) from the street gutter at the entrance to a point 2 meters (6.6 feet) behind the gutter. This will prevent runoff from spilling onto private property.				
7	Side slope of the requested entrance shall be constructed at a minimum of 10:1 slope where no culvert is required and 8:1 slope when a culvert is required.				
8	It is understood that all provisions herein relating to the construction repair or maintenance of the access shall be binding on all successors or assigns of the owner.				
E 18	SECTION CONTROL OF A DOMESTIC				
The	following special requirements or additional stipulations shall apply to this permit:				
_					

MISC RECORD 45