FILED NO. 3215
BOOK 42 PAGE 285
94 MAY 20 AM 10: 52
MICHELLE UTSLER
RECORDER
MADISON COUNTY, IOWA

REC $ No Fee
AUD $
R.M.F. $

COMPUTER ✓
RECORDED ✓
COMPARED ✓

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 structure, and surfacing work done within the corporate limits on that portion of County Route P71 from the intersection with Summit Street thence South 1.9 miles, Project No. FM-TSF-0061(1)--5B-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. Receipts from Traffic Safety Improvement Funds will be credited to the County's Farm to Market Fund. The City agrees to reimburse the County for the net construction cost of the portion of the project within the corporate limits. The reimbursement will be calculated by deducting the City's share of the Traffic Safety Improvement Funds from the amount billed by the County. The Traffic Safety Improvement Funds will be prorated between City and County based on each jurisdiction's cost of the total project.
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 County and the City will each acquire the necessary right of way for the project by purchase or condemnation within their respective jurisdictions.

9. Upon completion of the project, the City agrees that any changes in the physical features of the project will be authorized only after approval has been secured from the County Engineer.

10. 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 (1993).

11. 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 10th day of May, 1994.

MADISON COUNTY, IOWA

BY _____ (Supervisor)

BY _____ (Supervisor)

BY _____ (Supervisor)

ATTEST _____ (Auditor)

CITY OF WINTERSET, IOWA

BY _____ (Mayor)

ATTEST _____ (Clerk)