

Form 640004
1-80



IOWA DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION
ENTRANCE PERMIT
(Application for Permit to Construct Entrance from Private Property
to Primary Road or Primary Road Extension)

Compared

Permit Number 4-1394
County Madison
Project FN-92-4(9)--21-61
Highway Number Iowa 92

Applicant Hardee's Food Systems, Inc.
(Owner or Owners of Record)

Address 3301 Rider Trail South, Suite 100, Earth City, Missouri 63045, 19____
(Date)

A permit is hereby requested to construct a Type "B" entrance 24 feet in width, from right of way line to primary road traveled way, including necessary drainage structure thereunder at Station 758+77, south side.

PLAT OF ENTRANCE AS PROPOSED TO BE CONSTRUCTED IS ATTACHED
TO AND IS A PART OF THIS APPLICATION. (Form 640002)

Proposed entrance is located on Primary Road No. IA 92, Sec. 31, T. 76N, R. 27W, Madison County, ~~XXXXX~~ XXXXX in Winterset more specifically described as follows:
(Direction) (Place, Town, or Object)

Approximately 240 feet east of the N.W. corner of Section 31-76-27. (North Jct. of U.S. 169 and Iowa 92)

The applicant agrees that if granted a permit to construct the above described entrance, the following stipulations shall govern.

- Written approval of the Department shall be obtained before any change is made in the entrance or its location.
- That the entrance, including drainage structure, grading and surfacing, shall be constructed by the applicant at the applicant's expense, in accordance with the plat attached hereto, and in conformity with the standard specifications of the Highway Division, and shall thereafter be kept in repair and maintained by the applicant at his own expense. 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.
- That the construction, of the entrance shall be completed by the 31st day of August, 1988
(The permit is null and void if drive is not completed by the above date unless extension is granted in writing by the Department.)
- 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 applicant shall take all reasonable precautions to protect and safeguard the lives and property of any person or persons, and shall save the State and Department of Transportation harmless of any damage or losses that may be sustained by any person or persons, on account of such construction, repair, or maintenance operations.
- That no filling will be permitted in the right of way of primary road No. Iowa 92 other than that necessary to construct the proposed entrance.
That the culvert pipe under the entrance shall be zinc coated corrugated metal or 1500D concrete pipe. It shall be 36 inches in diameter and 97 feet in length as shown on attached sketch, and of quality complying with Sec. 4141 and Sec. 4145 of the Highway Division Standard and Specifications, Series of 1964, or subsequent revisions. The pipe shall be installed at the elevation specified by the engineer.
The finished surface elevation of the driveway over the pipe or place where the pipe would normally be shall be 4 inches lower than shoulder elevation at Station 758+77 to prevent water draining onto the pavement or travel way.
Side slope of the requested entrance shall be constructed with a minimum of 6:1 slope.
- That the applicant agrees to give the Highway Division forty-eight hours notice of his intention to start construction on the highway right of way. Said notice shall be in writing to the person whose name is shown on the reverse side.
- That all provisions herein relating to future repair or maintenance shall be binding on all successors or assigns of the applicant.
- Stipulations and requirements contained herein are not intended to waive greater requirement of local zoning ordinances.
- Applicant'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.
- §319.14 Code of Iowa requires any work performed under this permit to be in conformity with the specifications of the D.O.T. If the applicant does not conform to these specifications the D.O.T. may make the necessary changes and charge the cost against the person responsible, including court action if necessary.

STATE OF IOWA, ss.
MADISON COUNTY,

Inst. No. 2109 Filed for Record this 17 day of May, 1988 at 10:05 AM
Book 38 Page 370 Recording Fee 15.00 Mary E. Welty, Recorder, By _____ Deputy

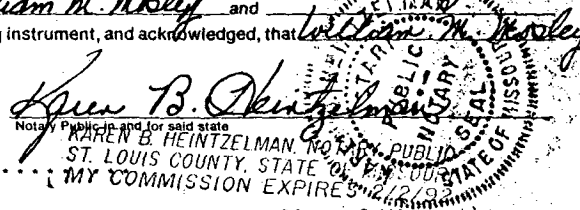
M. Welty

11. _____

Signed Hardee's Food Systems, Inc. By William M. Mosley
(Applicant) OWNER OF RECORD (Type name below line) William M. Mosley
Title Owner Address Earth City, Missouri 63045

MISSOURI ACKNOWLEDGEMENT
STATE OF IOWA

On this 2nd day of May A.D. 19 88 before me Karen B. Heintzelman
a Notary Public in and for said State of Missouri, personally appeared William M. Mosley and
to me known to be the person(s), named in and who execute the foregoing instrument, and acknowledged, that William M. Mosley
executed the same as voluntary act and deed.



Recommended for approval by James J. Dondy Recommended for approval for City of Winterset
Resident Maintenance Engineer, on 5/6 19 88 on May 3 19 88 by
Access hereby requested is approved and granted by the Department of Transportation, Highway Division

by Donald R. Shaw Authorized Dist. Agent X Mark Wilkins City Admin.
Authorized City Official

on 5/10 19 88 by Dean L. Small Zoning Officer

Notice of date construction is to start shall be sent by applicant to:
Jack Farver, HMS2, Winterset Maintenance Garage, Box 149, Winterset, Iowa 50273
Name Address 515-462-2742

NOTATION OF RECORD

Filed for Record on the 17 day of May, 19 88, at 10:05 o'clock A M., and Recorded in
Book 38 of Misc. Rec. on Page 370

Fee \$15.00 2109
Recorder Mary E. Welty
By _____ Deputy

To be recorded by State for applications on all Primary Highways except the arterial Connector System. On the Arterial Connector System, the applicant may record the approved application, if desired.

