Form 640006
1-80

Corrected

FILED NO. 902
BOOK 33 PAGE 279

1980 DEC 22 AM 9:01

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

See 902

DEPARTMENT OF TRANSPORTATION
IOWA

IND. ✓
REC. ✓
PAGE ✓

Ref. No. 472

Connection No. 572
MADISON County
Project No. F-92-4(2)**20-61
Date October 6, 1980
Functional Classification Arterial

REQUEST FOR THE ESTABLISHMENT OF A SPECIAL PUBLIC ROAD CONNECTION

It is hereby requested that a special public road connection be authorized and established on Primary Road No. Iowa 92, South side, of station 658+20 in Section 3, Twp. 75N, Rge. 28W more specifically described as follows: .34 miles West (Direction) from Jct. of Iowa 92 & Iowa 162 (Town, Place or Object), more particularly to which the Commission has acquired access rights by deed (~~condemnation~~) from John E. Cunningham and Peter J. Cunningham, Executors of the Marcella Cunningham Estate.

as recorded in Book (Vol.) 94, Page 98 (Instrument No.) _____ in the Office of the Madison County Recorder.

The undersigned agree and affirm that if the request for a special public road connection is authorized the following stipulations shall govern.

1. The Department reserves the right to remove or relocate the special public road connection.
2. The connection, 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.
3. 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.
4. That all provisions herein relating to future repair or maintenance shall be binding on all successors or assigns of the applicant.
5. In the establishment of a special public road connection at Station 658+20, Project F-92-4(2)**20-61, the following existing private entrances will be permanently removed or extinguished.

Station	Side	Type
NONE		

7. Additional Comments or Stipulations: Connection will be constructed with an 18 ft. top and with 6:1 side slopes. Culvert shall be 18"X42'.

We, the undersigned, are the owner, or owners, of record, or the legal and duly authorized representative of the owner, of the property abutting Primary Road Iowa 92 between Station 650+62 and Station 663+74.6 on the south side and agree that we shall save the State and Iowa Department of Transportation harmless of any damage or losses that may be sustained by any person, or persons, on account of the conditions and requirements of this agreement. Failure to comply with conditions and requirements of this agreement shall render this agreement and request null and void.

Bernard L Ross
Signature — Address

Bernard L. Ross
Type or Print Name

Signature — Address

Type or Print Name

ACKNOWLEDGEMENT

STATE OF ~~IOWA~~ Nebr.

On this 14th day of Oct A.D. 19 80, before me Donald E. Richardson, a Notary Public in and for said State of ~~Iowa~~ Nebr, personally appeared Bernard Ross and _____ to me known to be the person(s), named in and who execute the foregoing instrument, and acknowledge that he executed the same as voluntary act and deed.

GENERAL NOTARY-State of Nebraska
D. E. RICHARDSON
My Comm. Exp. Mar. 11, 1981

Notary Public in and for said State Nebr.

Reviewed and Recommended for Approval by:
Donald R. Shaw, P. E.

11/18/80 Donald R. Shaw
Date Resident Maintenance Engineer

12/3/80
Date District Engineer

Approved:

Date Authorized City or Town Official

Harry R. Heintz 12/10/80
Director, Development Bureau or Authorized Agent
Iowa Department of Transportation

11-17-80 Jerry K. Trevillyan
Date Jerry K. Trevillyan Authorized County Zoning Official

NOTATION OF RECORD

Filed for Record on the 22 day of December A.D. 19 80, at 9:01 o'clock A M., and Recorded in Book 33 of Misc on Page 279

Mary E Welty
Recorder

By _____
Deputy

RECEIVED
1980 DEC -8 AM 11:15
DEPT. OF TRANSPORTATION
AMES, IOWA

Form 640002
1-78

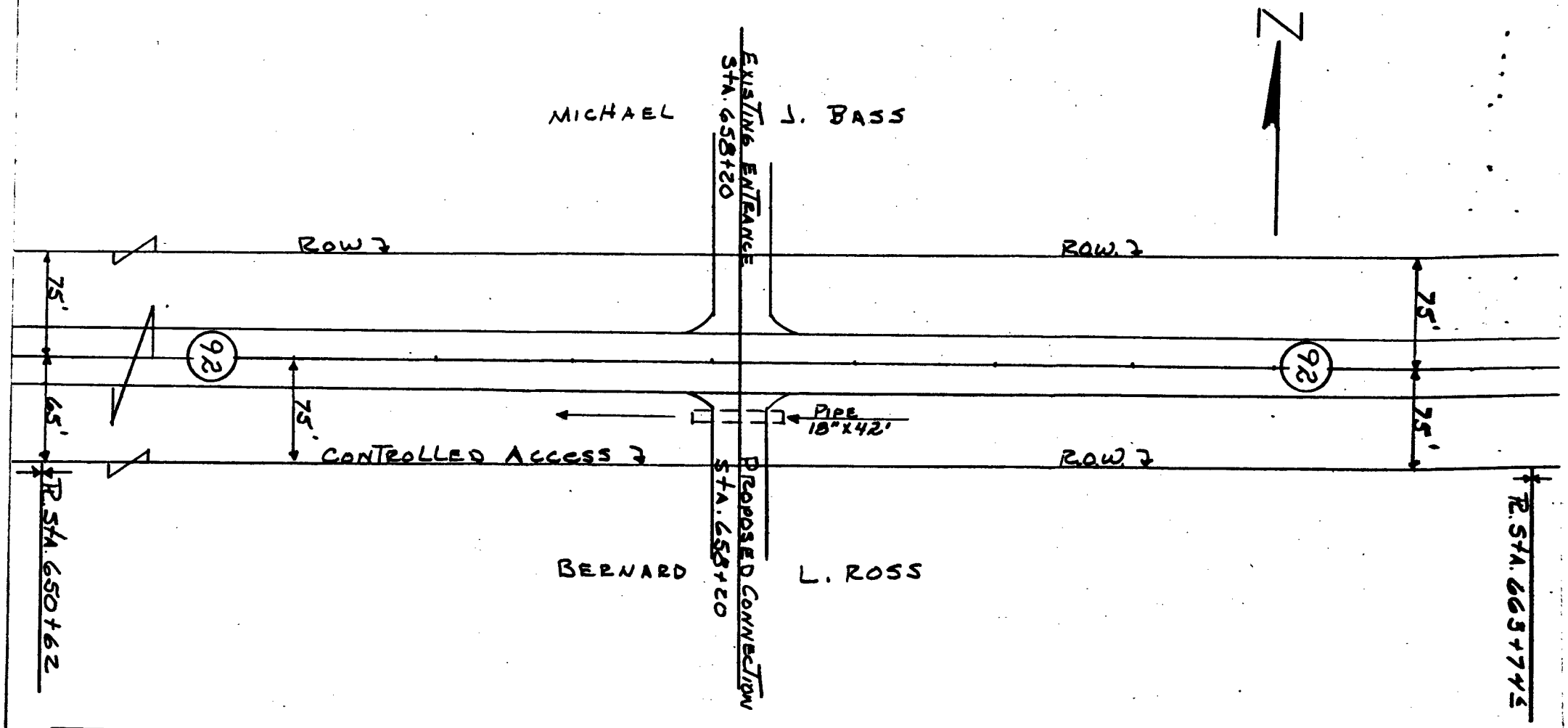
IOWA DEPARTMENT OF TRANSPORTATION
Highway Division

ACCESS PLAT

No.
County MADISON
Proj. No. F-92-4(2)--20-61

SPECIAL PUBLIC ROAD CONNECTION Access Rights Acquired Attach to Form 640001	CHECK		PRIVATE PROPERTY ENTRANCE Access Rights Not Acquired Attach to Form 640004
	XXXX		

Location Description: Primary Road No. IOWA 92, Sec. 3, T. 75N., R. 28W., MADISON County,
Being .34 Miles WEST direction From JUNCTION OF IOWA 92 AND IOWA 162, More Specifically described as:
STA. 658+20



CERTIFICATION

I hereby certify that this sketch was prepared by me or under my direct personal supervision and that I am a duly registered professional engineer under the laws of the State of Iowa.

Date November 18, 1980 Iowa Reg. No. 5707

Donald R. Shaw
Signature

APPLICANT BERNARD L. ROSS
X Bernard L. Ross
ADDRESS ~~2222 BELLWOOD DRIVE, GRAND ISLAND, NEB. 68801~~ Plum Creek Road, Johnstown Ne 68948
DATE 10/14/80

MISC. REC. 33