COMPARED

Form 559
7-70

IOWA STATE HIGHWAY COMMISSION

ENTRANCE PERMIT

(Application for Permit to Construct Entrance from Private Property to Primary Road or Primary Road Extension)

FILED NO. 1443 Fee 8.50
BOOK 100 PAGE 429

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IND. ✓
REC. ✓
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4 pgs.

MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

Permit Number 4-477
County Madison
Project F-366(4)
Highway Number US 169

Forest J. Hibbs and Beulah Hibbs (Fee Owners)
Richard O. Matland and Shirley A. Matland (Contract Purchasers)

Applicant Paul R. Payne and Erma L. Payne (Contract Purchasers)
(Owner or Owners of Record)

Address 1670 NW 85th St. Clive, Iowa 50033 August 9, 1972 19
(Date)

Iowa State Highway Commission
Ames, Iowa

Gentlemen:

A permit is hereby requested to construct a "C" entrance 18 feet in width, from right of way line to primary road traveled way, including necessary drainage structure thereunder at Station 397+60, East side.
(Type "A", "B", or "C")

PLAT OF ENTRANCE AS PROPOSED TO BE CONSTRUCTED IS ATTACHED TO AND IS A PART OF THIS APPLICATION. (Form 534)

Proposed entrance is located on Primary Road No. 169, Sec. 24, T. 77 N, R. 28 W, Madison County, 7.39, Miles North from Winterset more specifically described as follows:
(Direction) (Place, Town, or Object)

933 ft. North of SW Cor. SE ¼ SE ¼ Sec. 24-77-28
Madison County

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

1. Written approval of the Highway Commission shall be obtained before any change is made in the entrance or its location.

2. 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 Iowa State Highway Commission, and shall thereafter be kept in repair and maintained by the applicant at his own expense. Nothing in this stipulation, however, shall preclude the Iowa State Highway Commission from entering upon said entrance on highway right of way and performing necessary maintenance for the protection of the highway.

3. That the construction, of the entrance shall be completed by the 31st day of December, 19 72 (The permit is null and void if drive is not completed by the above date unless extension is granted in writing by the Iowa State Highway Commission.)

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 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 State Highway Commission harmless of any damage or losses that may be sustained by any person or persons, on account of such construction, repair or maintenance operations.

5. That no filling will be permitted in the right of way of primary road No. US 169 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 24 inches in diameter and 38 feet in length as shown on attached sketch, and of quality complying with Sec. 4141 and Sec. 4145 of the Iowa State Highway Commission 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 397+60 to prevent water draining onto the pavement or travel way.

6. That the applicant agrees to give the State Highway Commission 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.

7. That all provisions herein relating to future repair or maintenance shall be binding on all successors or assigns of the applicant.

8. Stipulations and requirements contained herein are not intended to waive greater requirements of local zoning ordinances.

9. 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.

10.

Signed Forest J. Hibbs × Beulah Hibbs
Forest J. Hibbs Beulah Hibbs

Signed Paul R Payne XX Erma L. Payne
(Applicant) Paul R. Payne (Type name below line) Erma L. Payne

Title _____ Address _____

ACKNOWLEDGEMENT

STATE OF IOWA

On this 2nd day of October A. D. 19 72, before me _____, a Notary Public in and for said State of Iowa, personally appeared Paul R Payne and Erma L Payne to be known to be the person(s), named in and who execute the foregoing instrument, and acknowledged, that they executed the same as voluntary act and deed.

Iowa NOTARIAL SEAL

Ora E. Niffenegger
Notary Public in and for said state
Ora E. Niffenegger

* *

Recommended for approval by R D Cornick, Resident Maintenance Engineer, on 10/5 1972.
R. D. Cornick

Recommended for approval for _____ city or town on _____ 19____ by _____ Authorized City Official Title

Entrance Permit granted for the Iowa State Highway Commission by Robert L. Boffeb, District Engineer, on October 9 1972.

Zoning Officer Charles A. Martin

Notice of date construction is to start shall be sent by applicant to:

Jack Farver, Box 419, Winterset, Iowa 50273
Name Address

NOTATION OF RECORD

Filed for Record on the _____ day of _____, 19____, at _____ o'clock ____ M., and Recorded in Book _____ of _____, on Page _____.

Recorder

By _____ Deputy

(Four copies of the application and plat must be filed with the State Highway Commission at Ames, Iowa. If entrance requested is within a city or town five copies of application and plat are required.)

9. 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.

10. _____

Richard D. Matland Shirley A. Matland

Signed Richard D. Matland Shirley A. Matland By _____
(Applicant) (Type name below line)

Title _____ Address _____

ACKNOWLEDGEMENT

STATE OF IOWA

On this 4th day of September A. D. 19 72, before me ##########Matland
, a Notary Public in and for said State of Iowa, personally appeared Richard O. Matland
and Shirley A. Matland to be known to be the person(s), named in and who execute the forgoing
instrument, and acknowledged, that they executed the same as voluntary act and
deed.

Ora A. Niffenegger
Notary Public in and for said state
Ora A. Niffenegger

FOR THE LEGAL EFFECT OF THE USE OF THIS FORM, CONSULT YOUR LAWYER

STATE OF IOWA, MADISON COUNTY, ss:

On this 8 day of September, A. D. 19 72, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Forest J. Hibbs and Beulah Hibbs

to me known to be the identical persons named in and who executed the within and foregoing instrument, to which this is attached, and acknowledged that they executed the same as their voluntary act and deed.

Dean R. Nelson Notary Public in and for the State of Iowa

IOWA STATE BAR ASSOCIATION
Official Form No. 11 (Trade-Mark Registered, State of Iowa, 1967)
H-6648 This Printing: January 13, 1972

(Section 558.39, Code of Iowa)

Form 534 IOWA STATE HIGHWAY COMMISSION No. 4-477

ACCESS PLAT County Madison

Project No. F-366(4)

SPECIAL PUBLIC ROAD CONNECTION (Access Rights Acquired) Attach to Form 536	CHECK	PRIVATE PROPERTY ENTRANCE (Access Rights NOT Acquired) EXHIBIT "A" Attach to Form 559

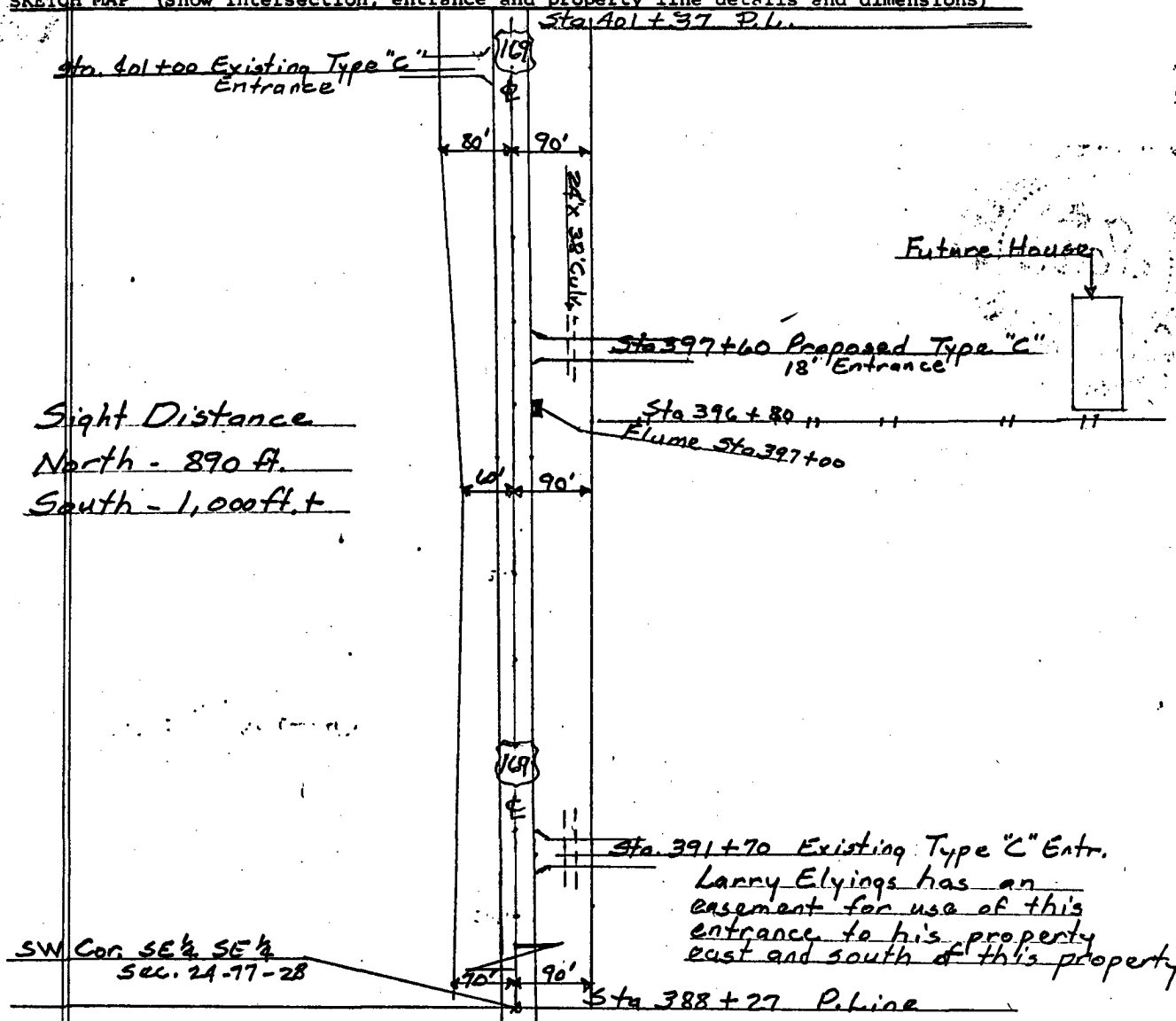
Location Description: Primary Road No. 169, Sec. 24, T. 77N, R. 28W.

Madison County, 7.39 Miles North (direction) from Winterset

more specifically described as follows: 933' North of SW Cor. SE¼SE¼ Sec. 24-77-28

Sta. 397+60

SKETCH MAP (Show intersection, entrance and property line details and dimensions)



NOTE: The sketch shall include section of road of sufficient length to show the existing public roads on both sides and location of all accesses within the area which have previously been approved, including all special road connections.

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.

Ralph D Cornell
(Signature)
Date 10/5, 1972 Iowa Reg. No. 2561

APPLICANT

Name Paul R. Payne, et al

By Paul R. Payne
(Signature)

Address 1670 NW 85th St.
Clive, Iowa 50053

Date 9/30, 1972