Form 534 7-70 COMPARED

FILED NO. 182
BOOK 100 PAGE 366
1972 FEB 15 AM 9:38
MARY E. WELTY
RECORDER
MADISON COUNTY, IOWA

App. Fee #6.50

IOWA STATE HIGHWAY COMMISSION

ENTRANCE PERMIT

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

Permit Number 4-419
County Madison
Project P-764
Highway Number 92

Gendler Stone Products Co., Inc. (Lessee)

Applicant L. J. Peters & B. L. Peters (Lessor)
(Owner or Owners of Record)

Address 1075 Polk Blvd., Des Moines, Iowa Feb. 1, 19 72
(Date)

Iowa State Highway Commission
Ames, Iowa

Gentlemen:

A permit is hereby requested to construct a Type "B" entrance 30 feet in width, from right of way line to primary road traveled way, including necessary drainage structure thereunder at Station 200+96, South 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. 92, Sec. 34, T. 76N, R. 27W, Madison County, 3.05, Miles East (Direction) from Winterset (Place, Town, or Object) more specifically described as follows:

Approximately 2,960 feet east of NW Corner Section 34-76-27

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 1st day of May, 1972. (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 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 18 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 200+96 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 Gendler Stone Products Co., Inc. (Lessee) By Mrs Max Gendler
(Applicant) (Type name below line) Mrs. Max Gendler
Title Pres. Address 1075 Polk Blvd., Des Moines, Ia.
Signed L.J. Peters & B.L. Peters (Lessor) BY L J Peters
Title OWNER Address 5225 E. UNIVERSITY, Des Moines, Ia.

ACKNOWLEDGEMENT

STATE OF IOWA

On this 4th day of February A. D. 1972, before me STANLEY L. ISAACSON, a Notary Public in and for said State of Iowa, personally appeared MRS. MAX GENDLER and and L.J. PETERS 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.

Stanley L Isaacson
Notary Public in and for said state
Stanley L. Isaacson

* *

Recommended for approval by R. D. Cornick R D Cornick, Recommended for approval for _____ city or town
Resident Maintenance Engineer, on 2/7 1972 on February 4 1972 by

Entrance Permit granted for the Iowa State Highway Commission
by Robert I. Bortle, District Engineer, on February 10 1972.

Authorized City Official _____ Title
Zoning Officer Charles A. Martin

Notice of date construction is to start shall be sent by applicant to: ISHC Maint. Garage
Jack L. Farver, P.O. Box 149, Winterset, Ia. 50273
Name Address

NOTATION OF RECORD

Filed for Record on the 15 day of February, 1972 at 9:38 o'clock A M., and Recorded in Book 100 of Lands, on Page 366.

Recorder Mary E. Welty
By _____ Deputy Fee $6.50

(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.)

Form 534 IOWA STATE HIGHWAY COMMISSION No. 4-419

ACCESS PERMIT County Madison

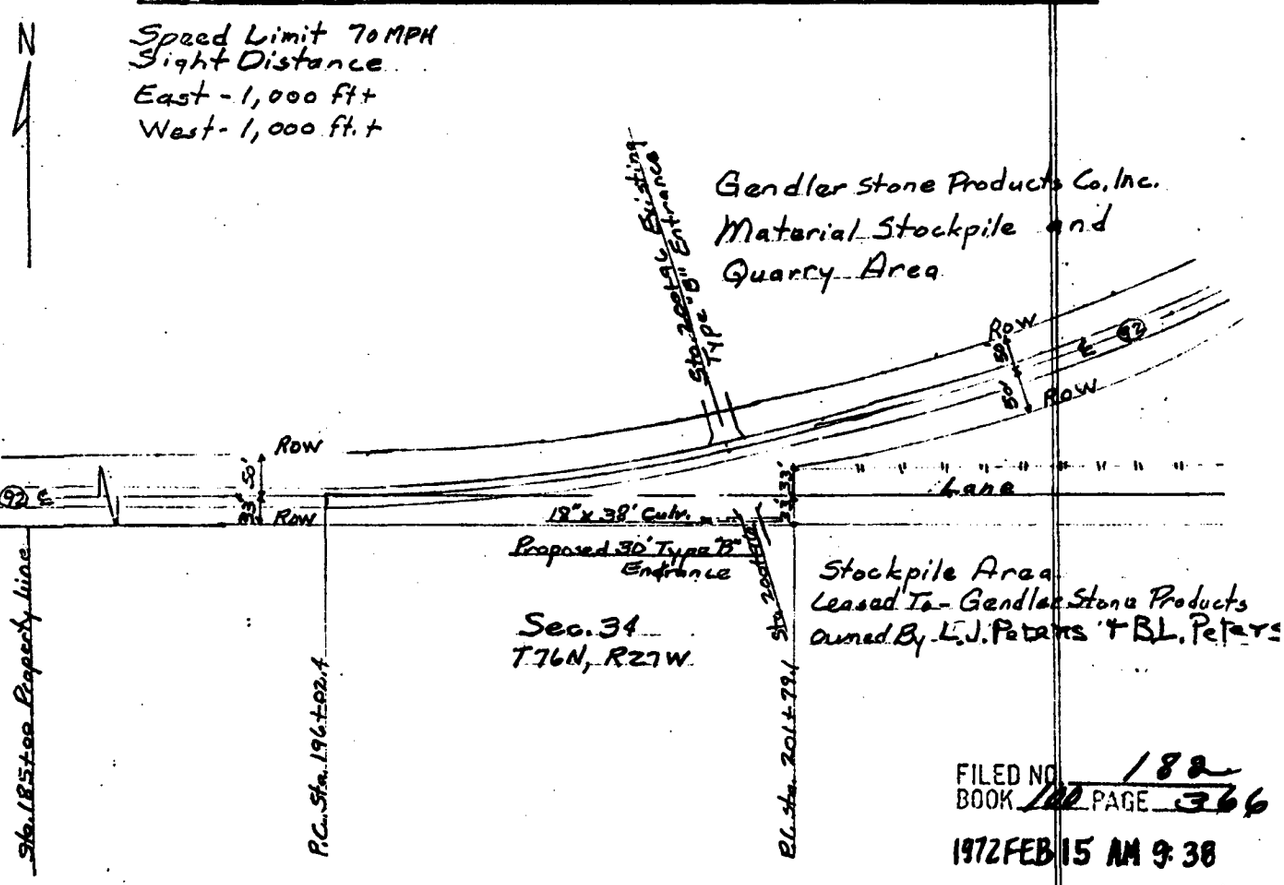
Project No. P-764

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. 92, Sec. 34, T. 76N, R. 27W, Madison County, 3.05 Miles East (direction) from Winterset

more specifically described as follows: Approx. 2,960' east of NW Cor. Sec. 34-76-27 (Sta. 200+96)

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



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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 Comick
(Signature)
Date 2/7, 1972 Iowa Reg. No. 2561

Applicant
Gendler Stone Products Inc. (Lessee)
Name L. J. Peters & B. L. Peters (Lessor)
By Mrs Mary Gendler, pres.
(Signature)
Address 1075 Polk Blvd.
Des Moines, Iowa.
Date Feb 4, 1972