



Document 2025 1538

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Date 6/17/2025 Time 1:25:40PM

Rec Amt \$17.00

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BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

MUNICIPAL UTILITY EASEMENT

Recorder's Cover Sheet

Preparer Information: (name, address and phone number)

Jane E. Rosien, 114 E. Jefferson Street, P.O. Box 67, Winterset, IA 50273-0067
(515) 462-4912

Taxpayer Information: (name and complete address)

JKA Enterprises, 1602 Highway 169, Winterset, IA 50273

Return Document To: (name and complete address)

Jane E. Rosien, P.O. Box 67, Winterset, IA 50273-0067

Grantors:

JKA Enterprises, LLC

Grantees:

City of Winterset, Iowa

Legal Description: See Page 2

Document or instrument number of previously recorded documents: N/A

MUNICIPAL UTILITY EASEMENT

KNOW ALL MEN BY THESE PRESENCE:

The undersigned owner, JKA Enterprises, LLC, hereafter called the Grantor, does hereby grant to the City of Winterset, Iowa, hereafter called the Grantee, the perpetual right and easement to construct, install, repair, maintain, operate, inspect, patrol and remove municipal utilities including the equipment and accessories for the same and all necessary appurtenances and the right of ingress and egress as may be reasonably necessary for the convenient construction, repair, maintenance, operation, inspection, patrolling, replacement and removal of the municipal utilities over, along, across and under the following described property situated in Madison County, Iowa, to-wit:

The West Eight Feet (8') of the South Fourteen Feet (14') of Lot Two (2) in Block Eleven (11) of the Original Town of Winterset, Madison County, Iowa.

The Grantor warrants and covenants to the Grantee that, subject to liens and encumbrances of record at the date of this Easement, they are the owner of the above-described land and have full right and authority to validly grant this Easement and the Grantee may quietly enjoy its estate in the premises.

Grantee is given the right to trim, cut and clear away any trees, limbs and brush, whether located on the above-described easement property, or adjacent to or overhanging the same, and the right to remove from the above-described easement property any obstruction, including inflammable materials, brush, structures of any kind or other obstructions wherever in its judgment such will interfere with or endanger the construction, operation or maintenance of the municipal utilities; and to renew, replace, and to otherwise change the municipal utilities or any part thereof and all appurtenances thereto and the location thereof within the easement property; and to pass along the easement property.

In consideration of such grant, Grantee agrees it will restore the real estate to grade, reseed and repair any damage to any area of grass, and restore and replace any gravel and/or concrete which may be disturbed by the construction, operation, maintenance, inspection, patrolling, repairing, replacement or removal of the municipal utilities

The Grantor covenants that no act will be permitted within the easement property which is inconsistent with the rights hereby granted; that no buildings or structures or other improvements will be erected upon the easement property; and, that the present grade or ground level thereof will not be changed by excavation or filling. The Grantor, their successors and assigns, shall have no responsibility or liability for any claim, cause of action or demand for any damage to the Grantees's utility improvements from any cause including the acts of the Grantor, their successors and assigns, except for the intentionally wrongful act of the Grantor, their successors and assigns.

This Agreement shall run with the land and bind and inure to the benefit of the heirs, successors and assigns of the parties.

Dated this ^{16th}~~10~~th day of June 2025.

Grantor: JKA Enterprises, LLC

Grantee: City of Winterset, Iowa

By: Joan K. Acela
Joan Kay Acela a/k/a Joan K. Acela
Member-Manager

By: Thomas J. Leners
Thomas J. Leners, Mayor

By: Andrew J. Barden
Andrew J. Barden, City Administrator

STATE OF IOWA :
: SS
MADISON COUNTY :

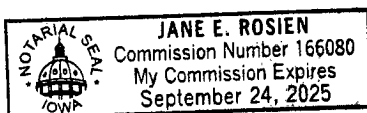
On this ^{10th}~~10~~th day of June 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared Joan Kay Acela, to me personally known, who, being by me duly sworn, did say that she is the Member Manager of JKA Enterprises, LLC; and, that Joan Kay Acela acknowledged the execution of the instrument to be her voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.



Lauren Palmer
Notary Public in and for the State of Iowa

STATE OF IOWA :
: SS
MADISON COUNTY :

On this ^{16th}~~10~~th day of June 2025, before me, the undersigned, a Notary Public in and for said State, personally appeared Thomas J. Leners and Andrew J. Barden, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Administrator, respectively, of the City of Winterset, Iowa; that the seal affixed thereto is the seal of said corporation; and that said instrument was signed and sealed on behalf of said corporation by authority of its City Council, as contained in the Resolution adopted by the City Council of the City on the ^{16th}~~10~~th day of June 2025; and, that Thomas J. Leners and Andrew J. Barden acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.



Jane E. Rosien
Notary Public in and for the State of Iowa