

Prepared by KTragesser Development Services PO Box 65320 West Des Moines IA 50265 (515)222-3620
Return to: City Clerk, City of West Des Moines PO Box 65320 West Des Moines, IA 50265 (515) 222-3614

AN AGREEMENT BETWEEN DONALD AND CONNIE WALLER AND THE CITY OF WEST DES MOINES, IOWA REGARDING THE INSTALLATION OF STREET LIGHTS

The undersigned, on behalf of **DONALD AND CONNIE WALLER**, (hereinafter "Property Owners"), states the following:

WHEREAS, the Property Owners of property located at 2973 105th Street Van Meter Iowa, (hereinafter "Site") has applied to the City of West Des Moines for approval of a Plat of Survey for the property legally described as:

~~NE Fractional Quarter of Section 5 Township 77 North Range 26 West of the 5th PM, Madison County, Iowa~~
SEE EXHIBIT A for Legal Description

WHEREAS, on the 11th of June 2018 the West Des Moines City Council approved the Plat of Survey submitted by the Property Owners, subject to conditions, one of which requires the Property Owners to install street lights along Timber Ridge Lane immediately adjacent to Parcel J and Parcel K.

THEREFORE, in consideration for approval of the Plat of Survey by the City of West Des Moines, and pursuant to the Resolution of the 11th of June 2018 and the conditions imposed by the City Council and included in the Resolution, the undersigned on behalf of the Property Owners, hereby agrees to the following:

Payment of all costs associated with the installation of street lights along Timber Ridge Lane adjacent to Parcels J and K in a number and configuration as determined appropriate by the street light plan provided by MidAmerican Energy (or its successors) to the Property Owners. The payment for the installation of street lights should occur in conjunction with or immediately following the reconstruction of what is now known to be Timber Ridge Lane.

This document shall be recorded in the Office of the Madison County, Iowa, Recorder and shall be binding upon the Property Owners, its successors and assigns and shall run with the land.

Donald Waller

By: *Donald Waller*

Title: Property Owner

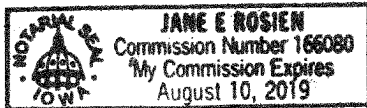
Connie Waller

By: *Connie Waller*

Title: Property Owner

STATE OF IOWA, COUNTY OF MADISON

This record was acknowledged before me on May 24, 2018, by Donald Waller and Connie Waller, property owners.



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

CITY OF WEST DES MOINES, IOWA

Steven K. Gaer
Steven K. Gaer, Mayor

Attest:

Ryan T. Jacobson
Ryan Jacobson, City Clerk

CITY OF WEST DES MOINES, IOWA

I, Ryan T. Jacobson, City Clerk of the City of West Des Moines, Iowa, do hereby certify that the within and foregoing Easement was duly approved and accepted by the City Council of said City of West Des Moines by Resolution and Roll Call No. 18-384, passed on the 11th day of June, 2018, and this certificate is made pursuant to authority contained in said Resolution.

Signed this 11th day of June, 2018

Exhibit A
Legal Description

Parcels J and K of the Plat of Survey in Section 5 Township 77 North Range 26 West of the 5th PM and recorded at the Madison County, Iowa, at Book 2018 Page 1874