

Facility and Support Services

600 West 4th Street
Davenport, Iowa 52801-1003
fss @ scottcountyiaowa.com
(563) 326-8738 Voice (563) 328-3245 Fax



October 21, 2020

To: Mahesh Sharma
County Administrator

From: Tammy Speidel, Director
Facility and Support Services

Subj: Drainage Easement Request- Eldridge Sheriff Patrol Headquarters

As you are aware, the property south of the Sheriff's Patrol Headquarters has been sold and is planned to be developed as storage units.

Scott County has received a request from Maximum Storage LLC to grant a drainage easement on the west side of the Patrol property running from our south property line north to the shared detention pond.

Chris Still and I met the owner and engineer on site and walked through their request. They were very receptive to our requests and were able to answer any questions that we had.

Additionally we discussed the erosion issues that we have had with the drainage from the south lot onto the patrol headquarters. The owner has agreed to design a landscaped berm at the north edge of his property/ south edge of Patrol, which should solve the problem moving forward. This will require a small drainage easement agreement on the south side, east to west as well.

Mr. Joe Zrostlik, owner of the Maximum Storage Property and Mr. Chris Townsend, Townsend Engineering plan to attend the next Committee of the Whole and formally explain the request and answer any questions you or the Board may have.

Rob Cusack has reviewed have reviewed the Drainage Easement Agreement and found it to be acceptable.

I recommend that the Board approve the requested drainage easement request.

Cc: Sheriff Tim Lane
FSS Management Team

Prepared by and Return to: Gomez May LLP, 2322 E. Kimberly Rd, Ste. 120W, Davenport, IA 52807;
(563) 359-3591

DRAINAGE EASEMENT AGREEMENT

This Drainage Easement Agreement (“Agreement”) is made this ____ day of October, 2020, by and ____.

WHEREAS, Scott County Board of Supervisors, government entity for Scott County, are the owners of the real estate legally described as follows:

Lot 3 Blackhawk Hills Second Addition to the City of Eldridge, Iowa.

(hereinafter referred to as “Parcel A”);

PART OF LOT 3 OF BLACKHAWK HILLS SECOND ADDITION TO THE CITY OF ELDRIDGE, SCOTT COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWESTERLY CORNER OF SAID LOT 3; THENCE NORTH 28° 44' 19" WEST ALONG THE SOUTHWESTERLY LINE OF SAID LOT 3, A DISTANCE OF 583.89 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 3; THENCE NORTH 61° 15' 41" EAST ALONG THE NORTHWESTERLY LINE OF SAID LOT 3, A DISTANCE OF 47.50 FEET; THENCE SOUTH 28° 44' 19" EAST, A DISTANCE OF 568.75 FEET; THENCE NORTH 61° 05' 38" EAST, A DISTANCE OF 267.17 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SOUTH 16TH AVENUE; THENCE SOUTH 15.00 FEET TO THE SOUTHEASTERLY CORNER OF SAID LOT 3; THENCE SOUTH 61° 05' 38" WEST ALONG SOUTHEASTERLY LINE OF SAID LOT 3, A DISTANCE OF 314.71' FEET TO THE POINT OF BEGINNING, CONTAINING 31,739 SQUARE FEET, MORE OR LESS.

and

WHEREAS, Maximum Storage LLC are the owners of the real estate legally described as follows:

Lot 2 Blackhawk Hills Second Addition to the City of Eldridge, Iowa.

(hereinafter referred to as “Parcel B”);

WHEREAS, the owner of Parcel A is agreeable to providing the owner of Parcel B with certain limited water drainage over a portion of Parcel A as further set forth herein.

NOW THEREFORE, in consideration of the undertakings set forth herein and other good and valuable consideration, the parties hereto make the following dedication of easements and further agree and contract as follows:

1. The Owner of Parcel A grants a non-exclusive access water drainage easement for the benefit of Parcel B over the westernmost fifteen (25) feet of Parcel A and the 5 feet over the southeastern part of

Parcel A.

2. The Owner of Parcel B shall have the right of way to use the Easement for means of water drainage and from Parcel B. The water drainage shall be over the Easement. Said water drainage shall be kept open at all times for use by the owner of Parcel A, their tenants, visitors, invitees and licensees.

3. The Drainage Easement shall be maintained, repaired or replaced, and kept in functional use by the owner of Parcel B, at their sole expense. The owner of Parcel B shall be responsible for any costs or expenses associated with the Drainage Easement, including any damages created during construction and ongoing issues that may arise in conjuncture with the work on the property.

4. This Agreement and all of the terms, provisions, easements, and rights contained and granted herein shall run with the land, are perpetual, and shall be binding upon, and inure to the benefit of, as the case may be, the owners of Parcel A and Parcel B, their respective heirs, executors, administrators, transferees, successors and assigns.

5. This Agreement may be terminated by mutual agreement of all parties in interest.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date set forth above.

PARCEL A OWNERS: Scott County Board of Supervisors, for Scott County Iowa.

By: _____

PARCEL B OWNERS: Maximum Storage LLC

Joseph Zrostlik, Manager

STATE OF IOWA)
) SS.
COUNTY OF SCOTT)

Now on this ____ day of _____, 2020, this instrument was acknowledged before me by _____ and _____.

Notary Public

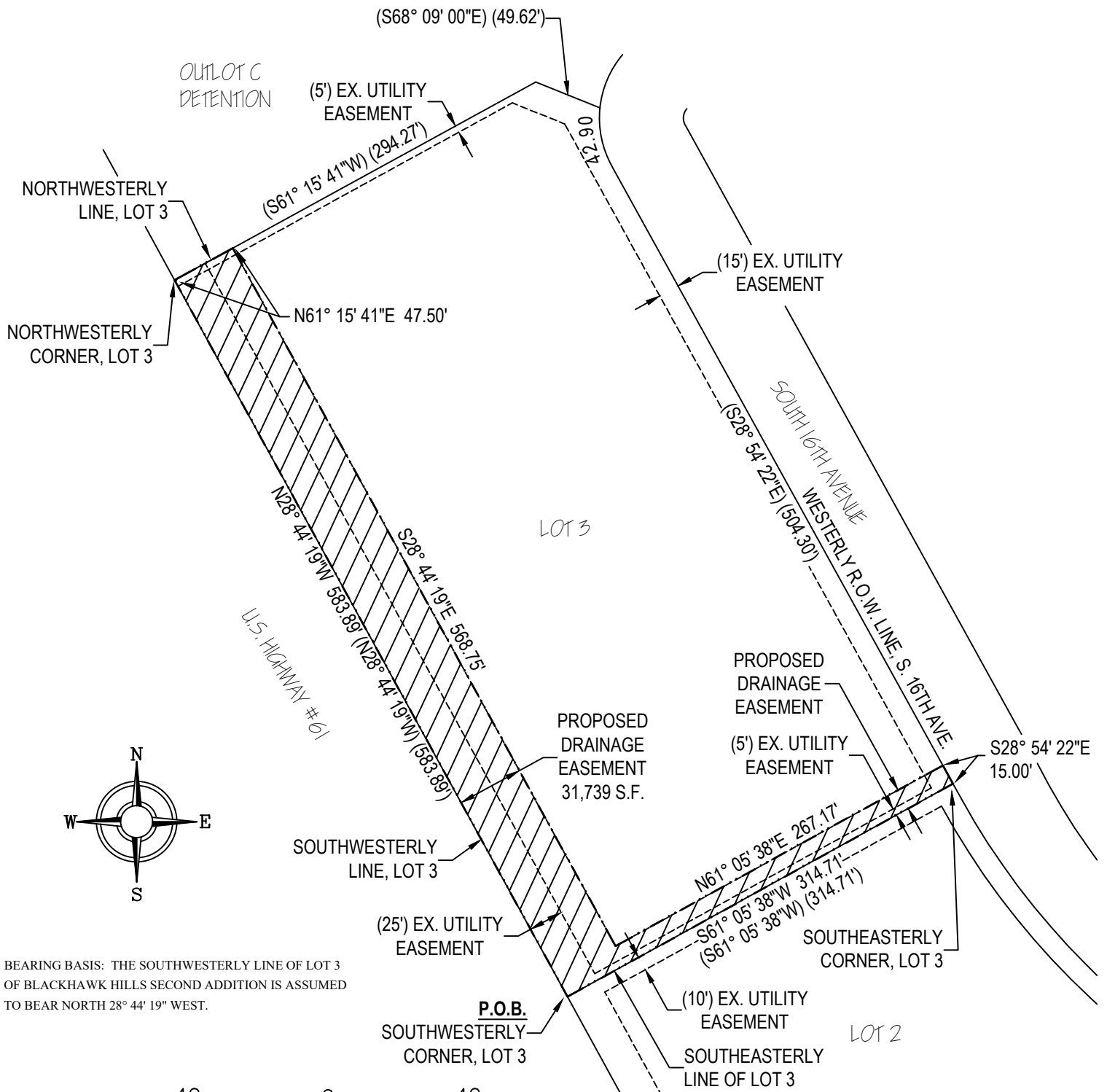
STATE OF IOWA)
) SS.
COUNTY OF SCOTT)

Now on this ____ day of _____, 2020, this instrument was acknowledged before me by _____ and _____.

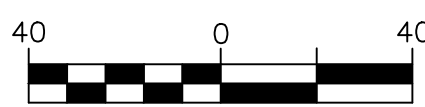
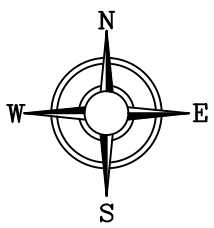
Notary Public

PLAT OF EASEMENT

FOR DRAINAGE PURPOSES
DESCRIPTION ATTACHED



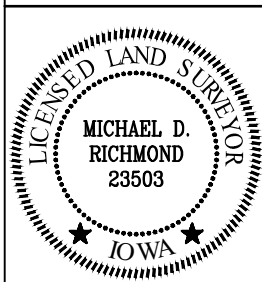
BEARING BASIS: THE SOUTHWESTERLY LINE OF LOT 3 OF BLACKHAWK HILLS SECOND ADDITION IS ASSUMED TO BEAR NORTH 28° 44' 19" WEST.



(IN FEET)
1" = 40' (8.5x14)

- LEGEND:**
 DEED DIMENSION = (0.00')
 FIELD DIMENSION = 0.00'
 MONUMENTS FOUND:
 AS NOTED = ●
 MONUMENTS SET:
 #5 REBAR W/ YELLOW CAP #23503 = ○
 BOUNDARY LINE = ————
 FENCE LINE = — x — x —
 EASEMENT LINE = - - - - -
 SETBACK LINE = - · - · -
 SECTION LINE =

REVISIONS:
DATE



DATE: 09/30/2020
 DRAWN BY: KLC
 CHECKED BY: MDR
 DRAWING LOCATION: S:\ZROSTLIK

PREPARED FOR:
 JOE ZROSTLIK
 3216 S. 16TH AVENUE
 ELDRIDGE, IOWA 52748

TOWNSEND ENGINEERING
 CIVIL · STRUCTURAL · LAND DEVELOPMENT
 563 386.4236 office 386.4231 fax
 2224 East 12th Street, Davenport, IA 52803

I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

MICHAEL D. RICHMOND
 Iowa License Number: 23503
 My license renewal date is December 31, 2021
 Pages or sheets covered by this seal: 1

THE COUNTY AUDITOR'S SIGNATURE CERTIFIES
THAT THIS RESOLUTION HAS BEEN FORMALLY
APPROVED BY THE BOARD OF SUPERVISORS ON

DATE

SCOTT COUNTY AUDITOR

R E S O L U T I O N

SCOTT COUNTY BOARD OF SUPERVISORS

October 29, 2020

A RESOLUTION APPROVING AN DRAINAGE EASEMENT REQUEST FOR THE
WEST SIDE OF SCOTT COUNTY PROPERTY LOCATED AT
3206 S 16TH AVENUE, ELDRIDGE, IOWA

BE IT RESOLVED BY the Scott County Board of Supervisors as follows:

- Section 1. That the request by Maximum Storage LLC for an drainage easement located on the west side of 3206 S 16TH Avenue, Eldridge, IA is hereby approved.
- Section 2. That the Director of Facility & Support Services is hereby authorized to sign the Drainage Easement Agreement on behalf of the Scott County Board of Supervisors.
- Section 3. This resolution shall take effect immediately.