

Prepared by: Peter J. Gardner, 222 South Linn Street, Iowa City, IA 52240, (319) 338-7551
Return to: Peter J. Gardner, 222 South Linn Street, Iowa City, IA 52240

DRAINAGE EASEMENT AGREEMENT

THIS AGREEMENT made and entered into by and between Firing Pin Tiffin RE, LLC, hereinafter referred to as Owner, and the City of Tiffin, Iowa, hereinafter referred to as City.

IT IS HEREBY AGREED AS FOLLOWS:

For the sum of One Dollar and other valuable consideration, receipt of which is hereby acknowledged, the Owner hereby grants and conveys to the City, an easement for the purposes of surface storm water drainage as well as excavating for and the installation, replacement, maintenance and use of such drainage way lines as the City shall from time to time elect for conveying storm water and all necessary appliances and fittings for use in connection with said lines, together with adequate protection thereof and also a right-of-way with right of ingress and egress thereto, over and across the areas designated as "Drainage Easement" (hereinafter "easement area") as shown on the Easement Exhibit attached hereto.

The Owner further grants to the City the following rights in connection with the above:

1. The right of grading said easement area for the full width thereof, and the right to extend the cuts and fills for such grading into and on said land along and outside of said easement areas, to such extent as the City may find reasonably necessary.
2. The right from time to time to trim, cut down and clear away all trees and brush on said easement areas, and on either side of said easement areas which now or hereafter in the opinion of the City may be a hazard to said areas or may interfere with the exercise of the City's rights hereunder in any manner.

3. The right to enter onto land beyond the easement area to conduct emergency repairs that may extend beyond the easement area without obtaining a separate temporary easement. The City's right to do such work shall be effective only upon City's prior notice to Owner and with minimal disruption of the area.

The City shall indemnify the Owner against any loss and damage which shall be caused by the negligent exercise of any said ingress or egress, construction, maintenance or use by the City or its agents or employees in the course of their employment.

The Owner reserves the right to use said easement area for purposes which will not interfere with the City's full enjoyment of its rights granted herein; provided that the Owner and their successors and assigns shall not erect or construct any building, fence, retaining wall or other structure; plant any trees, drill or operate any well, or construct any reservoirs or other obstruction on said easement area, or diminish or substantially add to the ground cover over said easement area. Any Owner improvements placed in the easement areas, with or without City approval, may be removed by the City without obligation or compensation or replacement.

The Owner hereby covenants with the City that it is lawfully seized and possessed of the real estate above described, and that it has good and lawful right to convey it or any part thereof.

The provisions hereof shall inure to the benefit of and bind the successors in interest and assigns of the respective parties hereto and all covenants contained herein shall be deemed to apply to and run with the title to the land.

SIGNED this _____ day of May, 2026.

FIRING PIN TIFFIN RE, LLC

By: _____
Steven Streb, Member

CITY OF TIFFIN, IOWA

By: _____
Tim Kasperek, Mayor

By: _____
Abigail Hora, City Clerk

STATE OF IOWA)
) ss:
JOHNSON COUNTY)

This instrument was acknowledged before me on May ____, 2026, by Steven Streb, as Member of Firing Pin Tiffin RE, LLC.

Notary Public in and for the State of Iowa

STATE OF IOWA)
) ss:
JOHNSON COUNTY)

This instrument was acknowledged before me on May ____, 2026, by Tim Kasperek and Abigail Hora, as Mayor and City Clerk, respectively, of the City of Tiffin, Iowa.

Notary Public in and for the State of Iowa



MMS Consultants, Inc.

Experts in Planning and Development Since 1975

1917 S. Gilbert Street
Iowa City, Iowa 52240

319.351.8282

mmsconsultants.net
mms@mmsconsultants.net

LETTER OF TRANSMITTAL

TO: Peter Gardner, Partner
Leff Law Firm LLP
222 S Linn St
Iowa City IA 52240

Date: 11/4/25	Project #: 4270-030
From: MMS Consultants, Inc.	
RE: Easement Exhibit	

We are sending you the following attached items:

COPIES	DATE	PROJECT NO.	DESCRIPTION
4	11/4/25	4270-030	Signed 5.00' Wide Drainage Easement Exhibit

These are transmitted as checked below:

- | | | |
|---|---|---|
| <input type="checkbox"/> For approval | <input type="checkbox"/> Approved as submitted | <input type="checkbox"/> For Approval & Signature |
| <input type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> Submit copies for distribution |
| <input type="checkbox"/> As requested | <input type="checkbox"/> Returned as noted | <input checked="" type="checkbox"/> For Recording |
| <input type="checkbox"/> For review & comment | <input type="checkbox"/> Prints returned after loan to us | <input type="checkbox"/> Other |

REMARKS:

Kelly J. Beckler, PE
MMS Consultants, Inc.

COPY TO: _____

Received by: _____ Date: _____ Time: _____

IF ENCLOSURES ARE NOT NOTED, KINDLY NOTIFY US AT ONCE.

Environmental Specialists

Landscape Architects

Land Planners

Land Surveyors

Civil Engineers

LOCATION: A PORTION OF LOT 22, PARK PLACE CITY CENTER - PART TWO, PHASE FOUR LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 80 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, TIFFIN, JOHNSON COUNTY, IOWA.	SURVEY REQUESTED BY: STREB CONSTRUCTION PO BOX 5065 CORALVILLE, IOWA 52241
LAND SURVEYOR: RICHARD R. NOWOTNY P.L.S MMS CONSULTANTS INC. 1917 SOUTH GILBERT STREET IOWA CITY, IOWA, 52240 PHONE: 319-351-8282	PROPRIETOR OR OWNER: DERS INVESTMENTS, LLC PO BOX 5198 CORALVILLE, IOWA 52241
	DOCUMENT RETURN INFORMATION: LAND SURVEYOR

EASEMENT EXHIBIT

5.00' WIDE DRAINAGE

TIFFIN, JOHNSON COUNTY, IOWA

DESCRIPTION - 5.00' WIDE DRAINAGE EASEMENT

A PORTION OF LOT 22, PARK PLACE CITY CENTER - PART TWO, PHASE FOUR LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 80 NORTH, RANGE 7 WEST OF THE FIFTH PRINCIPAL MERIDIAN, NORTH LIBERTY, JOHNSON COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING at the Northeast corner of Lot 22 Park Place City Center - Part Two, Phase Four in accordance with the Plat thereof recorded in Book 63 at Page 192 of the Records of the Johnson County Recorder's Office; Thence S88°38'36"W, along the North Line of said Lot 22, a distance of 20.00 feet, to the POINT OF BEGINNING; Thence S88°38'36"W, along said North Line, 5.00 feet; Thence S01°21'28"E, 300.00 feet, to a point on the South Line of said Lot 22; Thence N88°38'36"E, along said South Line, 5.00 feet; Thence N01°21'28"W, 300.00 feet, to the Point of Beginning. Said 5.00' Wide Drainage Easement contains 1,500 square feet, and is subject to easements and restrictions of record.

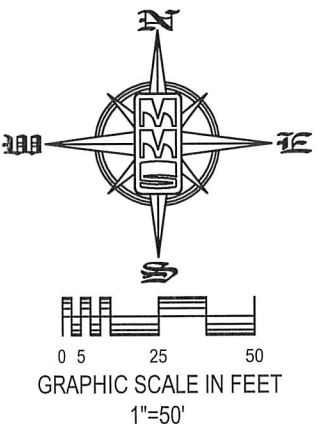
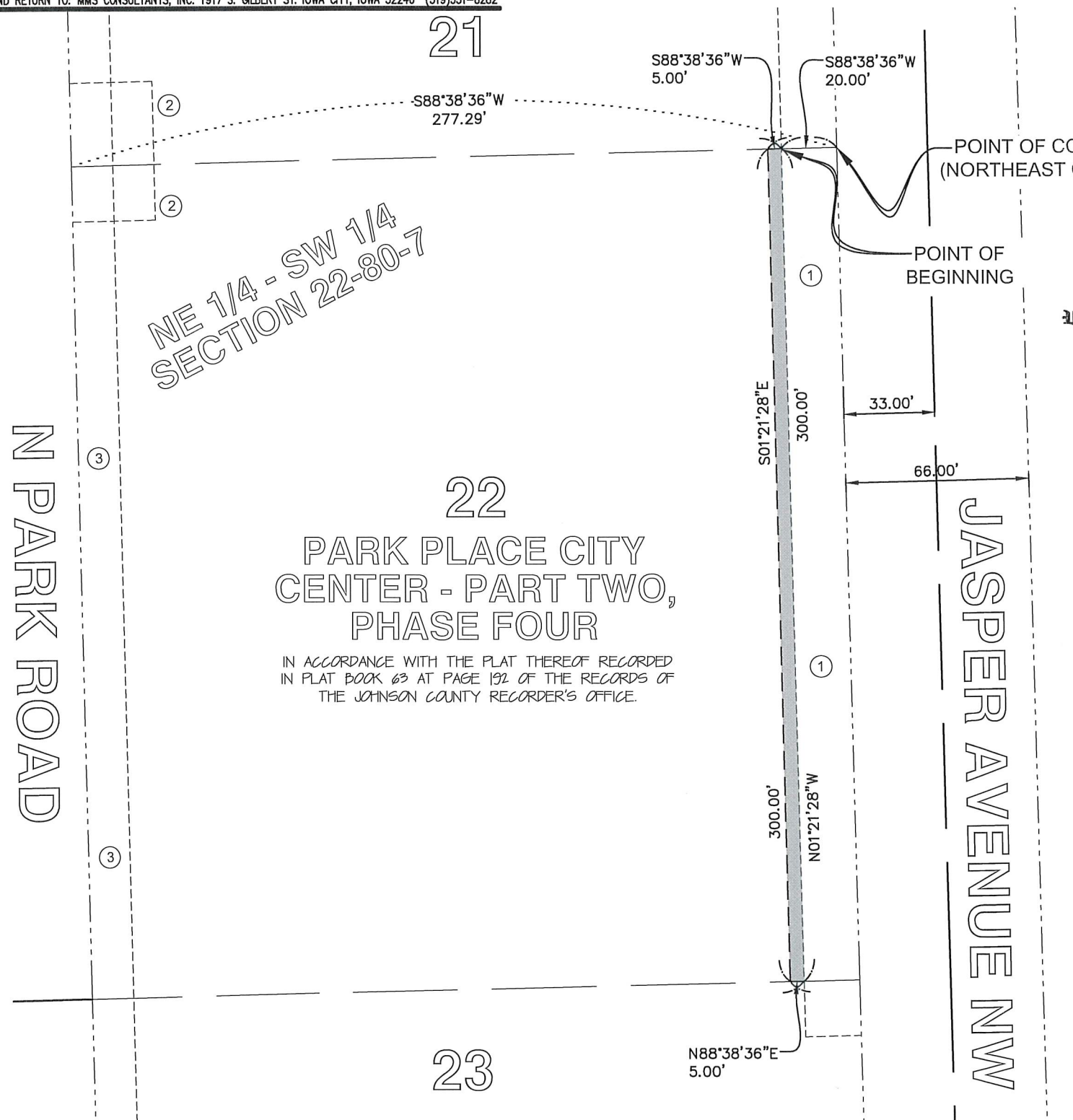


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ENVIRONMENTAL SPECIALISTS

1917 S. GILBERT ST.
IOWA CITY, IOWA 52240
(319) 351-8282

www.mmsconsultants.net

-PREPARED BY AND RETURN TO: MMS CONSULTANTS, INC. 1917 S. GILBERT ST. IOWA CITY, IOWA 52240 (319)351-8282

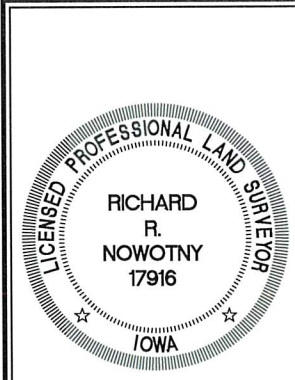


EXISTING EASEMENT IDENTIFICATION TABLE	
LABEL	DESCRIPTION
①	EXISTING 20.00' WIDE PUBLIC UTILITY, PUBLIC STORM SEWER AND DRAINAGE EASEMENT
②	EXISTING 30.00' WIDE COMMON ACCESS EASEMENT
③	EXISTING 15.00' WIDE PUBLIC UTILITY EASEMENT

LEGEND AND NOTES	
	- CONGRESSIONAL CORNER, FOUND
	- CONGRESSIONAL CORNER, REESTABLISHED
	- CONGRESSIONAL CORNER, RECORDED LOCATION
	- PROPERTY CORNER(S), FOUND (as noted)
	- PROPERTY CORNERS SET (5/8" Iron Pin w/ yellow, plastic LS Cap embossed with "MMS")
	- CUT "X"
	- PROPERTY &/or BOUNDARY LINES
	- CONGRESSIONAL SECTION LINES
	- RIGHT-OF-WAY LINES
	- CENTER LINES
	- LOT LINES, INTERNAL
	- LOT LINES, PLATTED OR BY DEED
	- EASEMENT LINES, WIDTH & PURPOSE NOTED
	- EXISTING EASEMENT LINES, PURPOSE NOTED
	- RECORDED DIMENSIONS
	- MEASURED DIMENSIONS
	- CURVE SEGMENT NUMBER
(R)	- RECORDED DIMENSIONS
(M)	- MEASURED DIMENSIONS
C22-1	- CURVE SEGMENT NUMBER

UNLESS NOTED OTHERWISE, ALL DIMENSIONS ARE IN FEET AND HUNDREDTHS

NW 1/4 - SE 1/4 SECTION 22-80-7



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 Professional Land Surveyor under the laws of the State of Iowa.

Richard R. Nowotny 20 25
RICHARD R. NOWOTNY
P.L.S. Iowa Lic. No. 17916
My license renewal date is December 31, 20 25

Pages or sheets covered by this seal: 1

5.00' WIDE DRAINAGE EASEMENT

TIFFIN
JOHNSON COUNTY
IOWA

MMS CONSULTANTS, INC.

Date:	6/19/2025
Designed by:	RAN
Field Book No:	
Drawn by:	LSS
Scale:	1"=60'
Checked by:	RRN
Sheet No:	1
Project No:	4270-030
of:	1