

Prepared by\ Return to:

Cyndy Howell, IA Department of Transportation, Right of Way Office, 800 Lincoln Way, Ames, IA 50010, 515-239-1534

Address Tax Statements: Sandra A. Cuscino, 1512 Pine Street, Harlan, IA 51537

# State of Iowa

## OFFICE OF THE SECRETARY OF STATE

Patent No. 5861

### STATE LAND OFFICE

The **STATE OF IOWA**, subject to conditions listed in this patent, hereby conveys to **Sandra A. Cuscino**, real estate in **Shelby** County, Iowa, and more particularly described as follows:

A parcel of land located in Lot 1, Davis' 3<sup>rd</sup> Addition to the City of Harlan, Iowa and within the former Right of Way limits of the Chicago Great Western Railroad Company (now abandoned) described as follows: Commencing at the NE Corner of Said Lot 1, thence S49°38 ½'E, 80.0 ft. to the Point of Beginning; thence continuing S49°38 ½'E, 20.0 ft., thence S40°21 ½'W, 296.5 ft.; thence N49°38 ½'W, 20.0 ft., thence N40°21 ½'E, 296.5 ft. to the Point of Beginning; said parcel contains 5,930 sq. ft., more or less.

Direct access between the above described parcel of land and IA 44 will be prohibited.

The State retains the right of entry thereon for the purpose of constructing and maintaining the right of way fence. The fence shall be maintained for vehicle access control purposes only. The State will be held blameless and without liability for fencing private property or maintaining the same. The buyer may pasture against said fence at their own peril and the State will be held blameless and without liability for fencing private property or maintaining the same to restrain livestock.

These provisions run with the land and are binding upon buyers, their heirs, successors, and assigns.

Declaration of Value Filing is not required, as the State of Iowa is the Grantor and exempt from such filing by Section 428A.2(6) of the Code of Iowa.

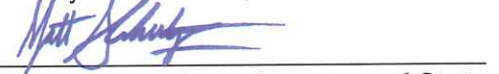
**CONDITIONS:** Authority and consideration for issuance of this patent are stated in the certificate of the **Right of Way Director of the Iowa Department of Transportation** filed with the State Land Office as provided in *Iowa Code* Section 9G.6. This conveyance is subject to the conditions imposed by *Iowa Code* Sections 306.22, 306.23, 306.24, and 306.25, including the right of a utility association, company or corporation to continue in possession of a right of way in use at the time of the sale.



I, **Terry E. Branstad**, Governor of the State of Iowa, have caused this instrument to be issued and the Great Seal of the State of Iowa to be affixed to it at Des Moines, on this 19<sup>th</sup> day of June, 2013.



Terry E. Branstad, Governor of Iowa

  
Matt Schultz, Iowa Secretary of State

I hereby certify that the foregoing Patent is recorded in Vol. 26 Page 94 in the State Land Office.

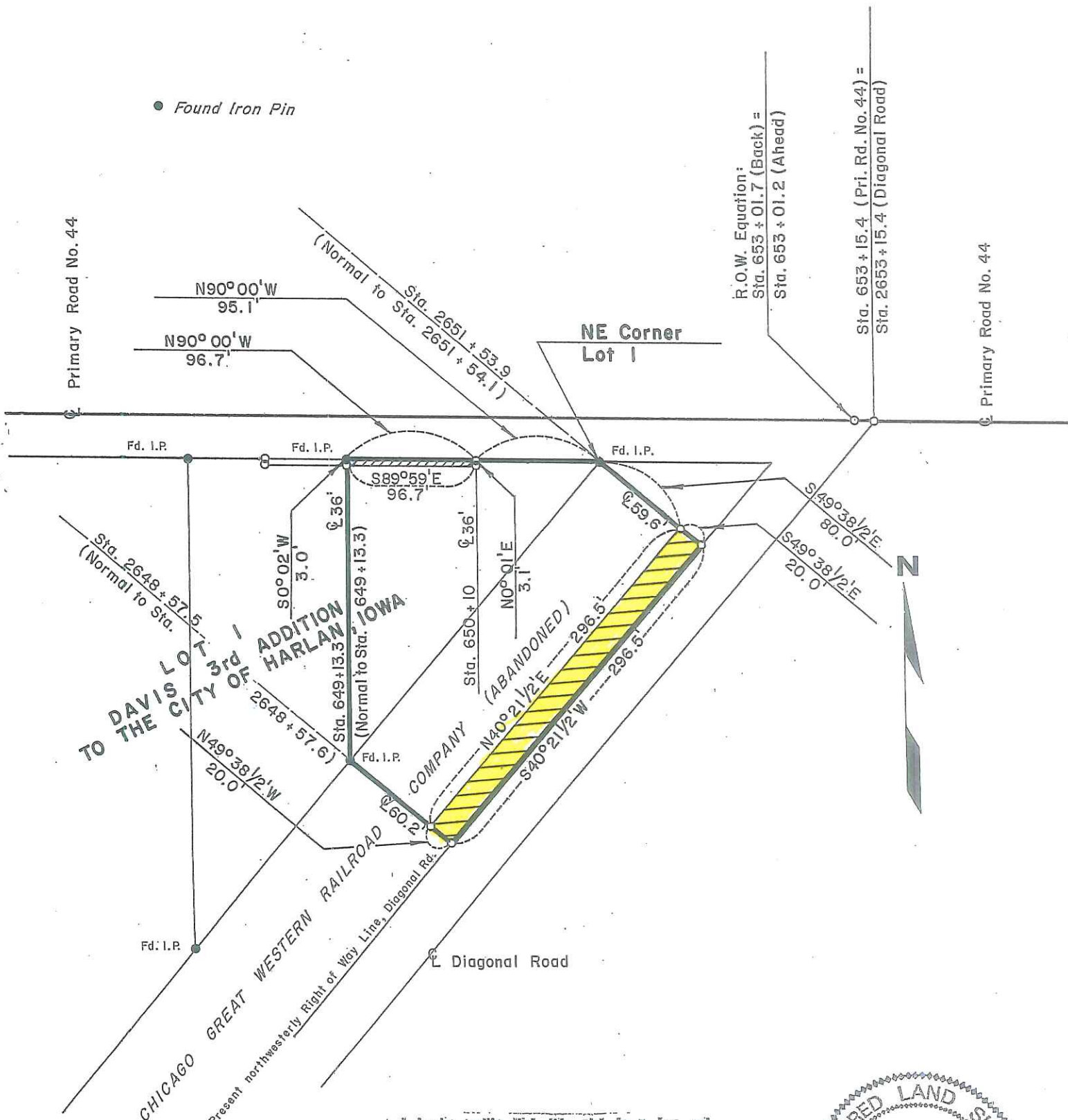
  
Matt Schultz, Iowa Secretary of State

IOWA DEPARTMENT OF TRANSPORTATION



RIGHT OF WAY PLAT  
EXHIBIT "A"

COUNTY SHELBY STATE CONTROL NO. 02-00  
 PROJECT NO. FN-44-2(3)--21-83 PARCEL NO. 46  
 SECTION 19 TOWNSHIP 79N RANGE 38W  
 ROW - FEE 6225 Sq. Ft. ~~AC~~ EASE AC, EXCESS - FEE AC  
 ACQUIRED FROM INA L. BUSS SORENSON



I hereby certify that this plat is a true and accurate representation of the land herein described, made by me or under my direct supervision, and that I am a duly registered Land Surveyor under the laws of the State of Iowa.

*Leslie J. Marousek* 7-25-77  
 Leslie J. Marousek, Reg. No. 6263 Date

