

Prepared By/Return To:

Katie Johnson, Iowa Department of Transportation, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010 (515)239-1633

State of Iowa

OFFICE OF THE SECRETARY OF STATE

Easement No. 5923E

STATE LAND OFFICE

The **STATE OF IOWA**, pursuant to Iowa Code section 306.45, subject to conditions listed in this easement, hereby conveys a permanent easement for the purpose of constructing and maintaining a sanitary sewer to the **CITY OF COUNCIL BLUFFS, IOWA**, and their heirs, assigns, and successors in interest in real estate in **POTTAWATTAMIE** County, Iowa, described as:

See Exhibit "A" attached hereto and by this reference made a part hereof.

CONDITIONS: Consideration for the grant of this easement pursuant to Iowa Code section 306.45 is set forth in the certificate of the **Right of Way Director of the Iowa Department of Transportation** filed with the State Land Office. This easement is subject to the conditions imposed by Iowa Code sections 306.24, and 306.45, and to all other conditions imposed by law, and to the right of a utility association, company or corporation to continue in possession of a right of way in use at the time of this conveyance.



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 at Des Moines, on this 15th day of July, 2014.

Terry E. Branstad, Governor of Iowa

Matt Schultz, Iowa Secretary of State

I hereby certify that the foregoing Easement is recorded in Vol. 26 Page 156 in the State Land Office.

Matt Schultz, Iowa Secretary of State

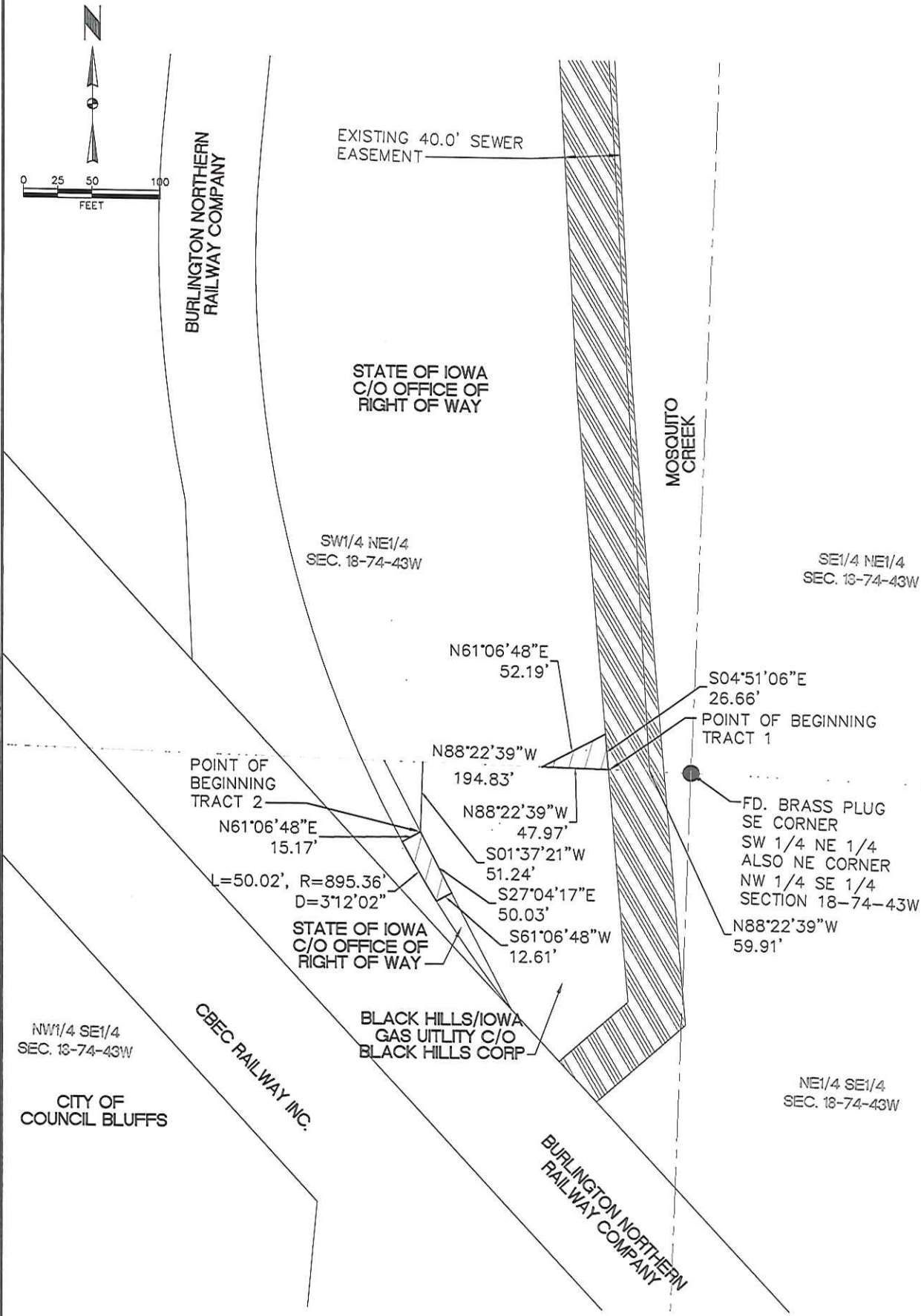
PROJECT NO.
150711
MOSQUITO CREEK SOUTH
SEWER

EXHIBIT "A"

PAGE 1 OF 2
PARCEL NO. 1 AND 2

PERMANENT EASEMENT

ACQUIRED FROM STATE OF IOWA C/O OFFICE OF RIGHT OF WAY



SECTION 18 TOWNSHIP 74 NORTH RANGE 43 WEST
 PERMANENT EASEMENT 1,348 s.f.
 ACQUIRED BY CITY OF COUNCIL BLUFFS
 CONSIDERATION \$ 0 s.f.
 TEMPORARY EASEMENT
 CONTRACT DATED

LICENSED LAND SURVEYOR

MELVIN G. SAMPLES

10569

IOWA

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.

Melvin G. Samples 5-7-14
 MELVIN G. SAMPLES DATE

License Number 10569
 My license renewal date is December 31, 2014

Pages or sheets covered by this seal:
SHEET 1 OF 2 AND 2 OF 2

POTTAWATTAMIE COUNTY PROJECT NO. 150711

PROJECT NO.
150711
MOSQUITO CREEK SOUTH
SEWER

EXHIBIT "A"

PAGE 2 OF 2
PARCEL NO. 1 AND 2

PERMANENT EASEMENT

ACQUIRED FROM STATE OF IOWA C/O OFFICE OF RIGHT OF WAY

LEGAL DESCRIPTION TRACT 1 - PERMANENT EASEMENT

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5th PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHEAST QUARTER;
THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER, NORTH 88 DEGREES 22 MINUTES 39 SECONDS WEST, 59.91 FEET TO A POINT ON THE WESTERLY LINE OF AN EXISTING 40.00 FOOT SEWER EASEMENT, SAID POINT BEING THE TRUE POINT OF BEGINNING;
THENCE CONTINUING ALONG SAID SOUTH LINE OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER AND ALONG THE SOUTHERLY RIGHT OF WAY LINE OF THE STATE OF IOWA, NORTH 88 DEGREES 22 MINUTES 39 SECONDS WEST, 47.97 FEET;
THENCE NORTH 61 DEGREES 06 MINUTES 48 SECONDS EAST, 52.19 FEET, TO A POINT ON THE WESTERLY LINE OF SAID EXISTING SEWER EASEMENT;
THENCE SOUTHEASTERLY ALONG SAID EXISTING SEWER EASEMENT, SOUTH 04 DEGREES 51 MINUTES 06 SECONDS EAST, 26.66 FEET TO THE TRUE POINT OF BEGINNING.
SAID PARCEL CONTAINS AN AREA OF 636 SQUARE FEET, MORE OR LESS.

LEGAL DESCRIPTION TRACT 2 - PERMANENT EASEMENT

A PARCEL OF LAND BEING A PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5th PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA, BEING MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER;
THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, NORTH 88 DEGREES 22 MINUTES 39 SECONDS WEST, 194.83 FEET;
THENCE SOUTH 01 DEGREE 37 MINUTES 21 SECONDS WEST, 51.24 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY OF THE STATE OF IOWA, SAID POINT BEING THE TRUE POINT OF BEGINNING;
THENCE ALONG SAID RIGHT OF WAY, SOUTH 27 DEGREES 04 MINUTES 17 SECONDS EAST, 50.03 FEET;
THENCE SOUTH 61 DEGREES 06 MINUTES 48 SECONDS WEST, 12.61 FEET, TO A POINT ON A CURVE CONCAVE NORTHEASTERLY, HAVING A RADIUS OF 895.36 FEET, ALSO BEING A POINT ON THE WESTERLY RIGHT OF WAY OF THE STATE OF IOWA;
THENCE NORTHWESTERLY ALONG SAID CURVE AND ALONG SAID RIGHT OF WAY, THROUGH A CENTRAL ANGLE OF 03 DEGREES 12 MINUTES 02 SECONDS, 50.02 FEET;
THENCE NORTH 61 DEGREES 06 MINUTES 48 SECONDS EAST, 15.17 FEET TO THE TRUE POINT OF BEGINNING.
SAID PARCEL CONTAINS AN AREA OF 712 SQUARE FEET, MORE OR LESS.

CONTRACT DATED

CONSIDERATION \$

RANGE 43 WEST

TOWNSHIP 74 NORTH

SECTION 18

CITY OF COUNCIL BLUFFS

0 s.f.

TEMPORARY EASEMENT

PERMANENT EASEMENT 1,348 s.f.

POTTAWATTAMIE COUNTY

PROJECT NO. 150711