

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: Michael D. Schmiesing, 24580 Jasmin Lane, Glenwood, IA 51534

# State of Iowa

## OFFICE OF THE SECRETARY OF STATE

### STATE LAND OFFICE

Patent No. 6067

The **STATE OF IOWA**, subject to conditions listed in this patent, hereby conveys to **Michael D. Schmiesing**, real estate in **Mills** County, Iowa, and more particularly described as follows:

A parcel of land located in SE¼SE¼ of Section 7, T72N, R43W of the 5th P.M., Mills County, Iowa, as shown on Plat of Survey, attached hereto and by reference made a part hereof, said parcel is more particularly described as follows:

Commencing at the SE Corner of said Section 7, thence N89°21'29"W 606.64 feet along the south line of the SE¼SE¼ of said Section 7; thence N1°51'43"E 140.72 feet to the Point of Beginning; thence S86°13'10"W 110.47 feet; thence N22°43'35"W 84.55 feet; thence N0°03'34"W 991.03 feet; thence N22°49'16"E 84.23 feet; thence S89°20'37"E 148.24 feet; thence S1°51'43"W 1138.27 feet to the Point of Beginning, said parcel contains 4.19 acres.

Direct access between the above described parcel of land and U.S. 34 will be prohibited.

This conveyance is subject to all easements of record.

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.

This transfer is exempt from transfer tax. Iowa Code Section 428A.2(6).

Declaration of Value Filing is not required, as the State of Iowa is the Grantor and exempt from such filing by Section 428A.1 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 15<sup>th</sup> day of February, 2016.

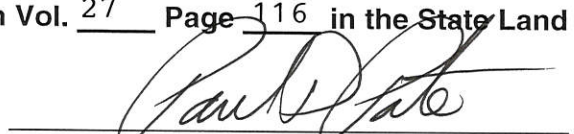


Terry E. Branstad, Governor of Iowa

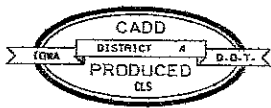


Paul D. Pate, Iowa Secretary of State

I hereby certify that the foregoing Patent is recorded in Vol. 27 Page 116 in the State Land Office.



Paul D. Pate, Iowa Secretary of State



IOWA DEPARTMENT OF TRANSPORTATION - PLAT OF SURVEY



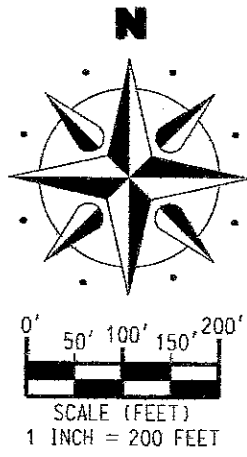
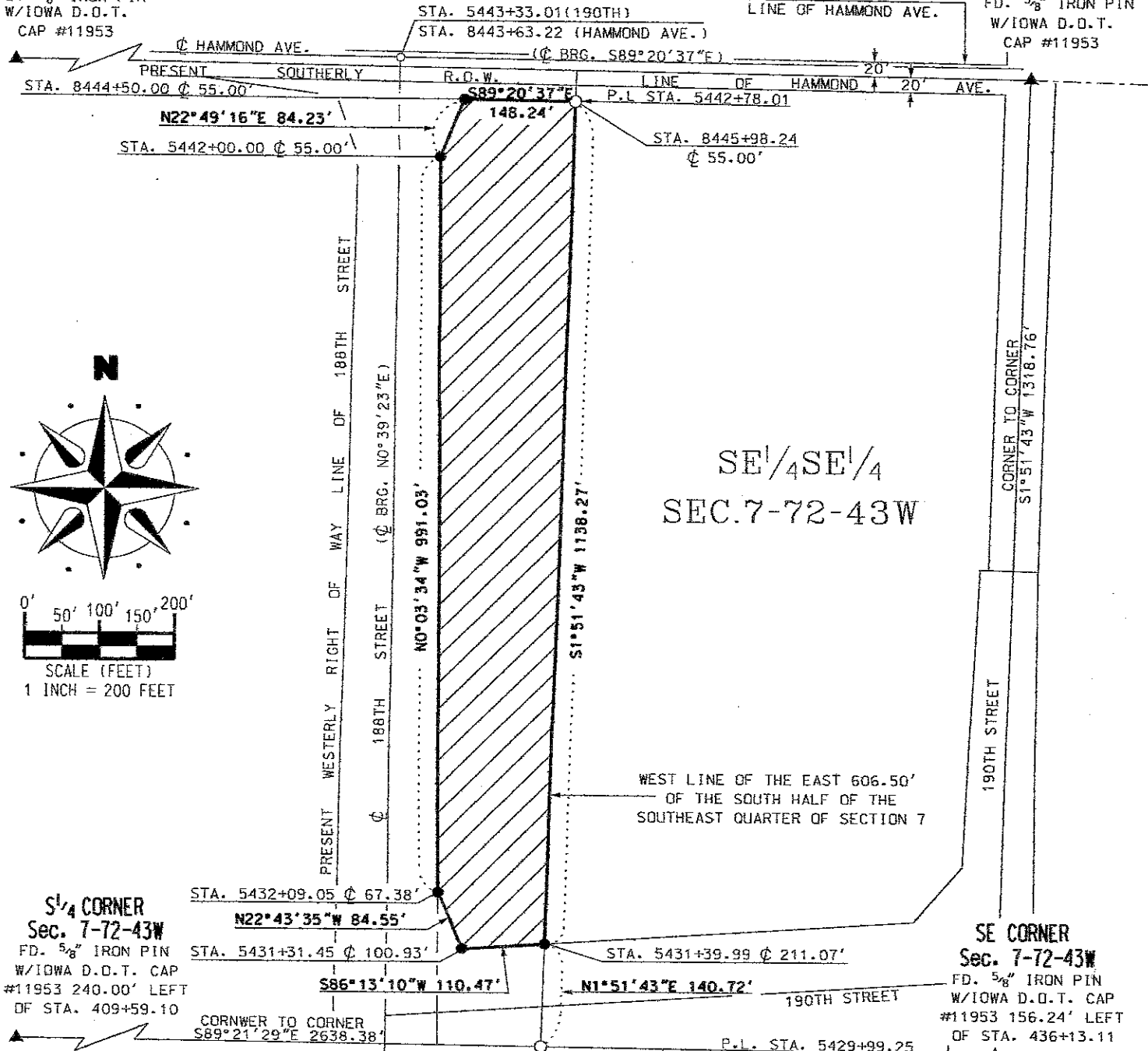
COUNTY MILLS STATE CONTROL NO. \_\_\_\_\_  
 PROJECT NO. NHSX-534-1(79)--3H-65 PARCEL NO. 10  
 SECTION 7 TOWNSHIP 72 N RANGE 43 W  
 ROW - FEE \_\_\_\_\_ AC. EASE \_\_\_\_\_ AC. - EXCESS FEE 4.19 AC.  
 ACQUIRED ACCESS RIGHTS FROM STA. \_\_\_\_\_ TO STA. \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE \_\_\_\_\_  
 ACQUIRED FROM MICHAEL D. SCHMIESING & CONNIE SCHMIESING  
 SOLD TO \_\_\_\_\_

NW CORNER  
 SW 1/4 SE 1/4  
 Sec. 7-72-43W  
 FD. 5/8" IRON PIN  
 W/IOWA D.O.T.  
 CAP #11953

NE CORNER  
 SE 1/4 SE 1/4  
 Sec. 7-72-43W  
 FD. 5/8" IRON PIN  
 W/IOWA D.O.T.  
 CAP #11953

CORNER TO CORNER N89°22'46"W 2647.66'

PRESENT NORTHERLY R.O.W.  
 LINE OF HAMMOND AVE.

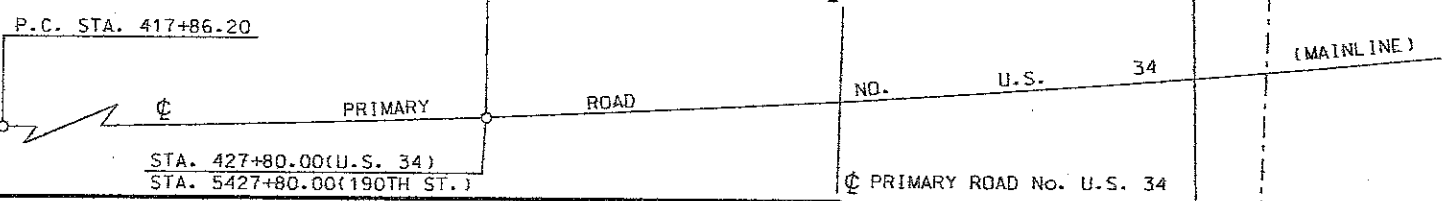


SE 1/4 SE 1/4  
 SEC. 7-72-43W

WEST LINE OF THE EAST 606.50'  
 OF THE SOUTH HALF OF THE  
 SOUTHEAST QUARTER OF SECTION 7

S 1/4 CORNER  
 Sec. 7-72-43W  
 FD. 5/8" IRON PIN  
 W/IOWA D.O.T. CAP  
 #11953 240.00' LEFT  
 OF STA. 409+59.10

SE CORNER  
 Sec. 7-72-43W  
 FD. 5/8" IRON PIN  
 W/IOWA D.O.T. CAP  
 #11953 156.24' LEFT  
 OF STA. 436+13.11



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

*William J. Fox*  
 WILLIAM J. FOX Date 10-21-14

License number 15482  
 Pages covered by this seal 1  
 My License Renewal date is December 31, 2015



Δ = 8°12'22.97" (LT)  
 T = 1219.53'  
 L = 2434.88'  
 E = 43.69'  
 R = 17000.00'

LEGEND

- 5/8" REBAR W/CAP # 15482
- FOUND IRON PIN
- CALCULATED POINT
- △ SET SECTION CORNER
- ▲ FOUND SECTION CORNER

Date 12/28/2009 Time 1:08 PM  
Rec Amt \$29.00 Aud Amt \$5.00  
Rev Transfer Tax \$515.20  
Rev Stamp# 118

indx ✓  
ref

VICKI McCLINTIC, COUNTY RECORDER  
MILLS IOWA



R-

Prepared by: Esther Glasnapp, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010, 515-239-1416  
Return to: Esther Glasnapp, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010 **SASE**  
Address Tax Statements: Property Management Supvr., Office of Right of Way, 800 Lincoln Way, Ames, IA 50010

### WARRANTY DEED

For the consideration of **Three Hundred Twenty-two Thousand Four Hundred and no/100----- (\$322,400.00)-----Dollars** and other valuable consideration in hand paid by Iowa Department of Transportation, **MICHAEL D. SCHMIESING AND CONNIE SCHMIESING, his wife**, do hereby convey to the **STATE OF IOWA** real estate and right of access in Mills County, Iowa:

**THE FEE SIMPLE TITLE GRANTED IS TO LAND DESCRIBED AS FOLLOWS:**

A parcel of land located in NW ¼ SW ¼, NE ¼ SW ¼, SW ¼ SW ¼, and the SE ¼ SW ¼ of Section 7, Township 72 North, Range 43 West of the 5<sup>th</sup> P.M., Mills County, Iowa, as shown on Acquisition Plat Exhibit "A" Plat 1 of 2, attached hereto and by reference made a part hereof; said parcel is more particularly described as follows:

Commencing at the SW Corner of said Section 7, thence S89°21'29"E 440.65 feet along the south line of the SW ¼ of said Section 7 to the Point of Beginning; thence N1°42'16"W 1151.52 feet; thence N0°15'03"E 206.32 feet to a point on centerline of Hammond Avenue; thence S89°44'57"E 1136.83 feet along said centerline; thence S49°58'32"E 426.49 feet; thence S2°29'24"E 1095.66 feet to a point on the south line of the SW ¼ of said Section 7; thence N89°21'29"W 1477.75 feet along the south line of said SW ¼ to the Point of Beginning, said parcel contains 44.90 acres, of which 1.08 acres is in existing county road easement.

AND

A parcel of land located in SE ¼ SE ¼ of Section 7, Township 72 North, Range 43 West of the 5<sup>th</sup> P.M., Mills County, Iowa, as shown on Acquisition Plat Exhibit "A" Plat 2 of 2, attached hereto and by reference made a part hereof; said parcel is more particularly described as follows:

Commencing at the SE Corner of said Section 7, thence N89°21'29"W 606.64 feet along the south line of the SE ¼ SE ¼ of said Section 7 to the Point of Beginning; thence continuing N89°21'29"W 138.11 feet along said south line; thence N0°03'34"W 1200.82 feet; thence N22°49'16"E 84.23 feet; thence S89°20'37"E 148.24 feet; thence S1°51'43"W 1278.99 feet to the Point of Beginning; said parcel contains 4.65 acres.

**THE FEE SIMPLE TITLE GRANTED IS TO ACCESS RIGHTS DESCRIBED AS FOLLOWS:**

All rights of direct access between Local Road, 190<sup>th</sup> Street, and grantors' remaining property abutting thereon in the SE¼ SE¼ of Section 7, Township 72 North, Range 43 West, Mills County, Iowa, from Station 5427+80 to Station 5429+99.25, on the West Side.

No rights of direct access shall be permitted between Primary Road No. 534 and grantor's remaining property abutting thereon.

Mills County Project No. NHSX-534-1(79)—3H-65  
Michael D. and Connie Schmiesing (Parcel 10)

Filed in the STATE LAND OFFICE:  
27 Page(s) ~~650~~ 650  
6067  
2-26-16

This Warranty Deed and a certain Easement for Public Highway, executed by the above-named grantors, are given in fulfillment of a certain agreement dated October 19, 2009, and recorded in the Mills County Recorder's Office on October 27, 2009, in Document 2009-3459, except those terms that survive the execution of this document.

This land is being acquired for public purposes through eminent domain and a Declaration of Value is not required. Iowa Code Sec. 428A.1.

Grantors do hereby covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to sell and convey the real estate; that the real estate is free and clear of all liens and encumbrances except as may be above stated; and grantors covenant to warrant and defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated 12-4-09, 2009. (SIGN IN INK)

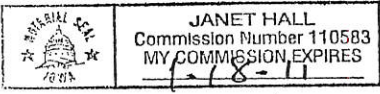
[Signature]  
Michael D. Schmiesing

[Signature]  
Connie Schmiesing

STATE OF IOWA, COUNTY OF Mills, ss:

On this 4 day of December, A.D. 2009, before me, the undersigned, a Notary Public in and for said State, personally appeared, Michael D. Schmiesing and Connie Schmiesing, to me known to be the identical person(s) named in and who executed the foregoing instrument, and acknowledged that ~~(he)~~ ~~(she)~~ (they) executed the same as ~~(his)~~ ~~(her)~~ (their) voluntary act and deed.

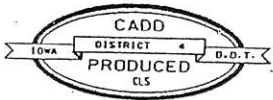
(NOTARIAL SEAL)



[Signature] (Sign in Ink)  
Notary Public in and for said State of IOWA

Mills County Project No. NHSX-534-1(79)—3H-65  
Michael D. and Connie Schmiesing (Parcel 10)

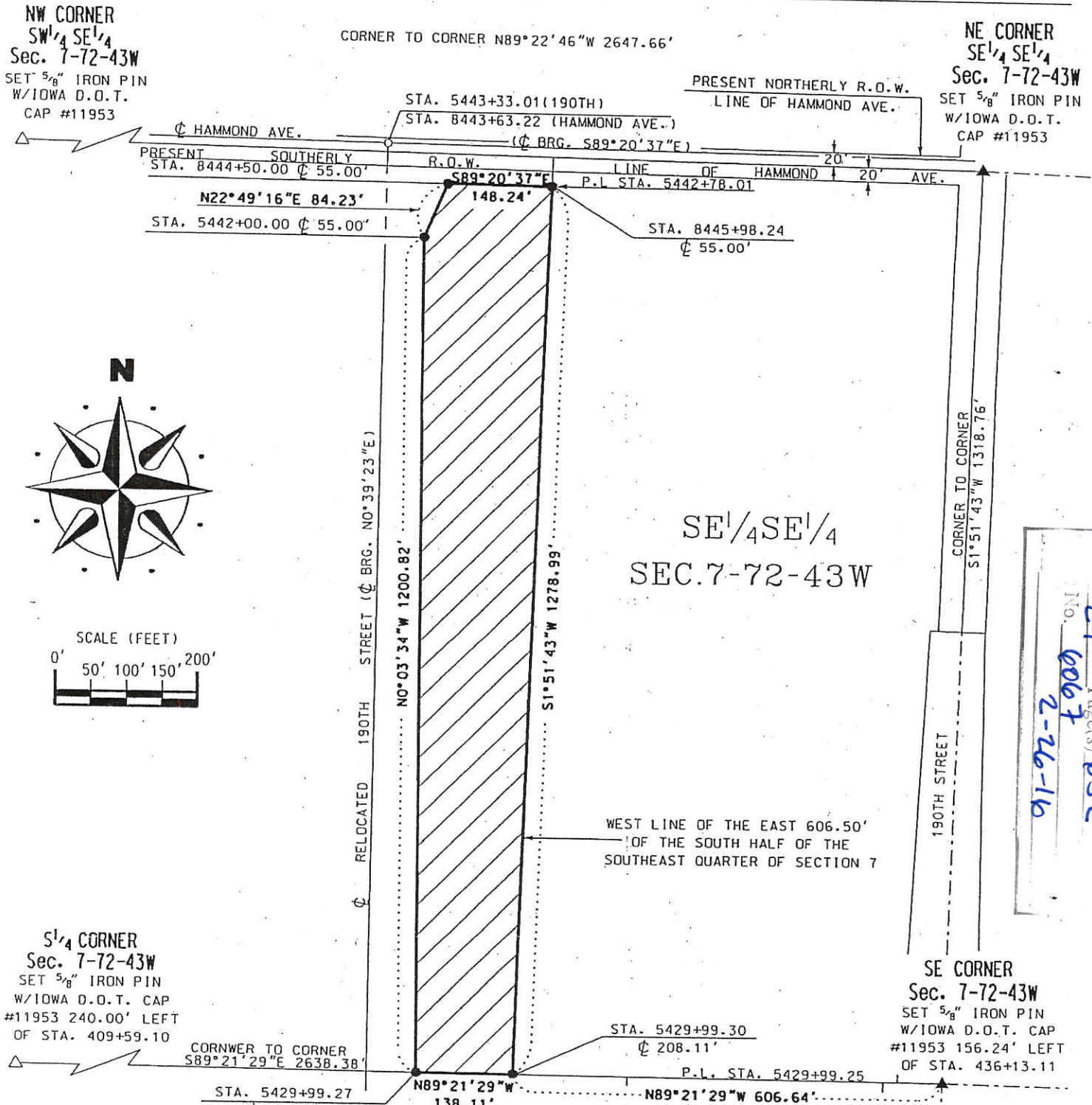
Filed in the STATE LAND OFFICE  
27 Page(s) 651  
6067  
2-24-16



IOWA DEPARTMENT OF TRANSPORTATION  
ACQUISITION PLAT  
EXHIBIT "A"  
PLAT 2 OF 2



COUNTY MILLS STATE CONTROL NO. \_\_\_\_\_  
PROJECT NO. NHSX-534-1(79)--3H-65 PARCEL NO. 10  
SECTION 7 TOWNSHIP 72 N RANGE 43 W  
ROW - FEE 4.65 AC, EASE \_\_\_\_\_ AC, EXCESS - EASE. \_\_\_\_\_ AC.  
ACQUIRED ACCESS RIGHTS FROM STA. \_\_\_\_\_ TO STA. \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE  
ACQUIRED FROM MICHAEL D. AND CONNIE SCHMIESING



RECORDED IN THE STATE LAND OFFICE  
No. 27 Page(s) 652  
91-92-16

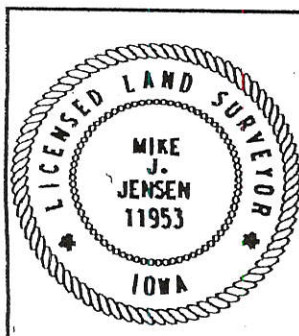
**SW CORNER**  
Sec. 7-72-43W  
SET 5/8" IRON PIN  
W/IOWA D.O.T. CAP #11953  
240.00' LEFT  
OF STA. 409+59.10

**SE CORNER**  
Sec. 7-72-43W  
SET 5/8" IRON PIN  
W/IOWA D.O.T. CAP #11953  
156.24' LEFT  
OF STA. 436+13.11

P.C. STA. 417+86.20

STA. 427+80.00 (U.S. 534)  
STA. 5427+80.00 (190TH ST.)

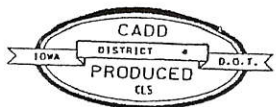
NO. U.S. 534 (MAINLINE)  
P.I. STA. 430+05.73



I hereby certify that this land surveying document was prepared by me and the related survey work was performed by me or under my direct supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.  
*Mike J. Jensen* 2-3-09  
MIKE J. JENSEN Date  
License number 11953  
Pages covered by this seal 1  
My License Renewal date is December 31, 2010

$\Delta = 8^{\circ}12'22.97''$  (LT)  
T = 1219.53'  
L = 2434.88'  
E = 43.69'  
R = 17000.00'

- LEGEND**
- 5/8" REBAR W/CAP # 11953
  - FOUND PK NAIL
  - CALCULATED POINT
  - △ SET SECTION CORNER
  - ▲ FOUND SECTION CORNER



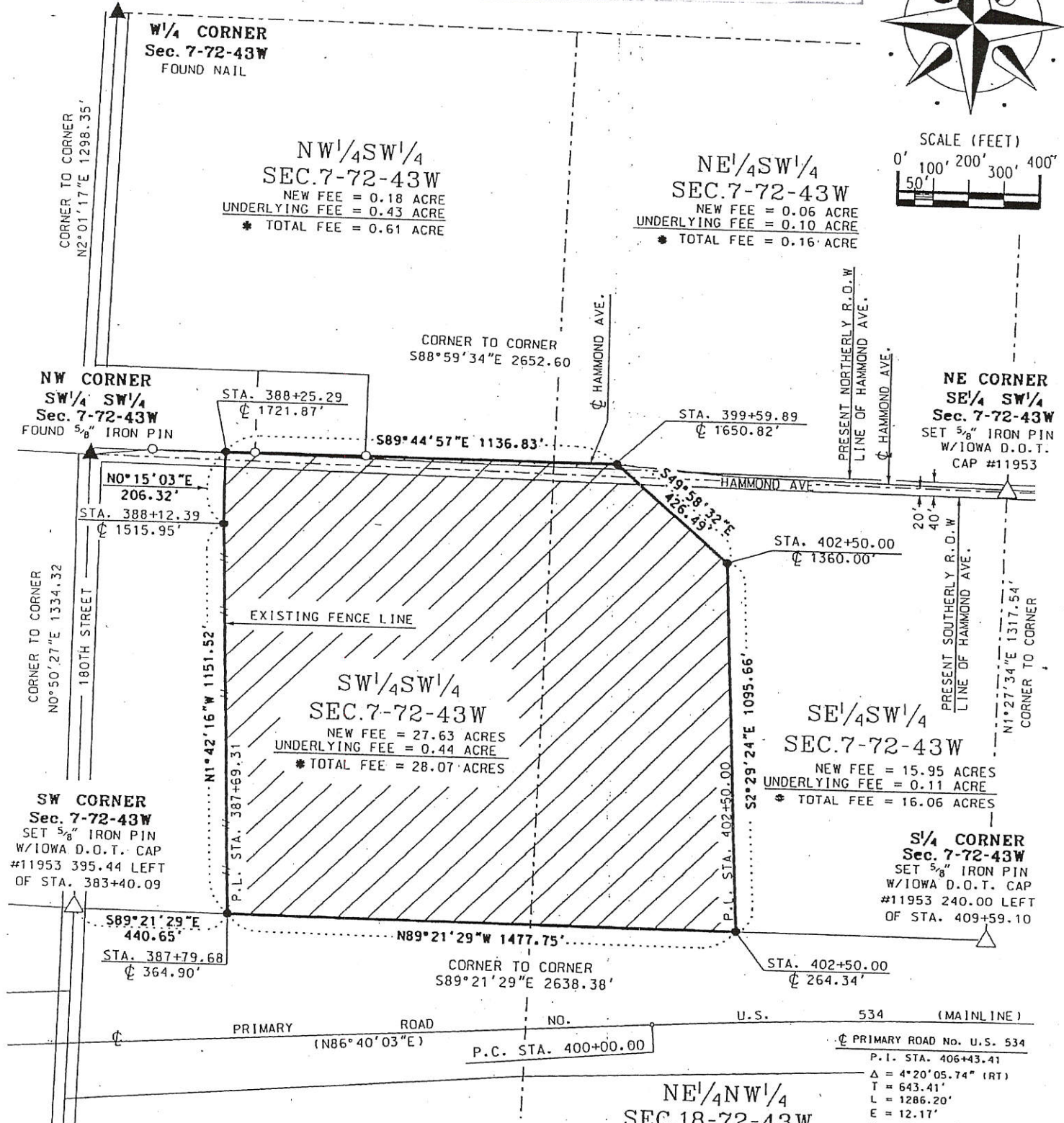
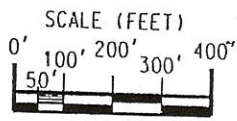
IOWA DEPARTMENT OF TRANSPORTATION  
ACQUISITION PLAT  
EXHIBIT "A"  
PLAT 1 OF 2



COUNTY MILLS STATE CONTROL NO. \_\_\_\_\_  
PROJECT NO. NHSX-534-1(79)--3H-65 PARCEL NO. 10  
SECTION 7 TOWNSHIP 72 N RANGE 43 W  
ROW - FEE \*44.90 AC, EASE \_\_\_\_\_ AC, EXCESS - FEE. \_\_\_\_\_ AC,  
ACQUIRED ACCESS RIGHTS FROM STA. \_\_\_\_\_ TO STA. \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE \_\_\_\_\_  
ACQUIRED FROM MICHAEL D. AND CONNIE SCHMIESING

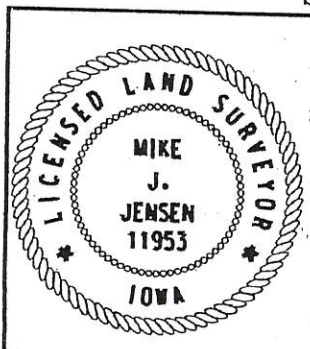
\* NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> SEC. 7 FEE = 0.61 ACRE  
NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> SEC. 7 FEE = 0.16 ACRE  
SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> SEC. 7 FEE = 28.07 ACRES  
SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> SEC. 7 FEE = 16.06 ACRES  
TOTAL FEE = 44.90 ACRES

27 Pages(s) 653  
6067  
2-26-16



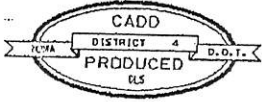
**LEGEND**

- CALCULATED POINT
- FOUND IRON PIN W/CAP 9380
- SET 5/8" IRON PIN W/CAP 11953
- ▲ FOUND SECTION CORNER
- △ SET SECTION CORNER



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

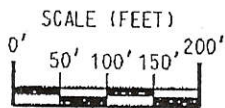
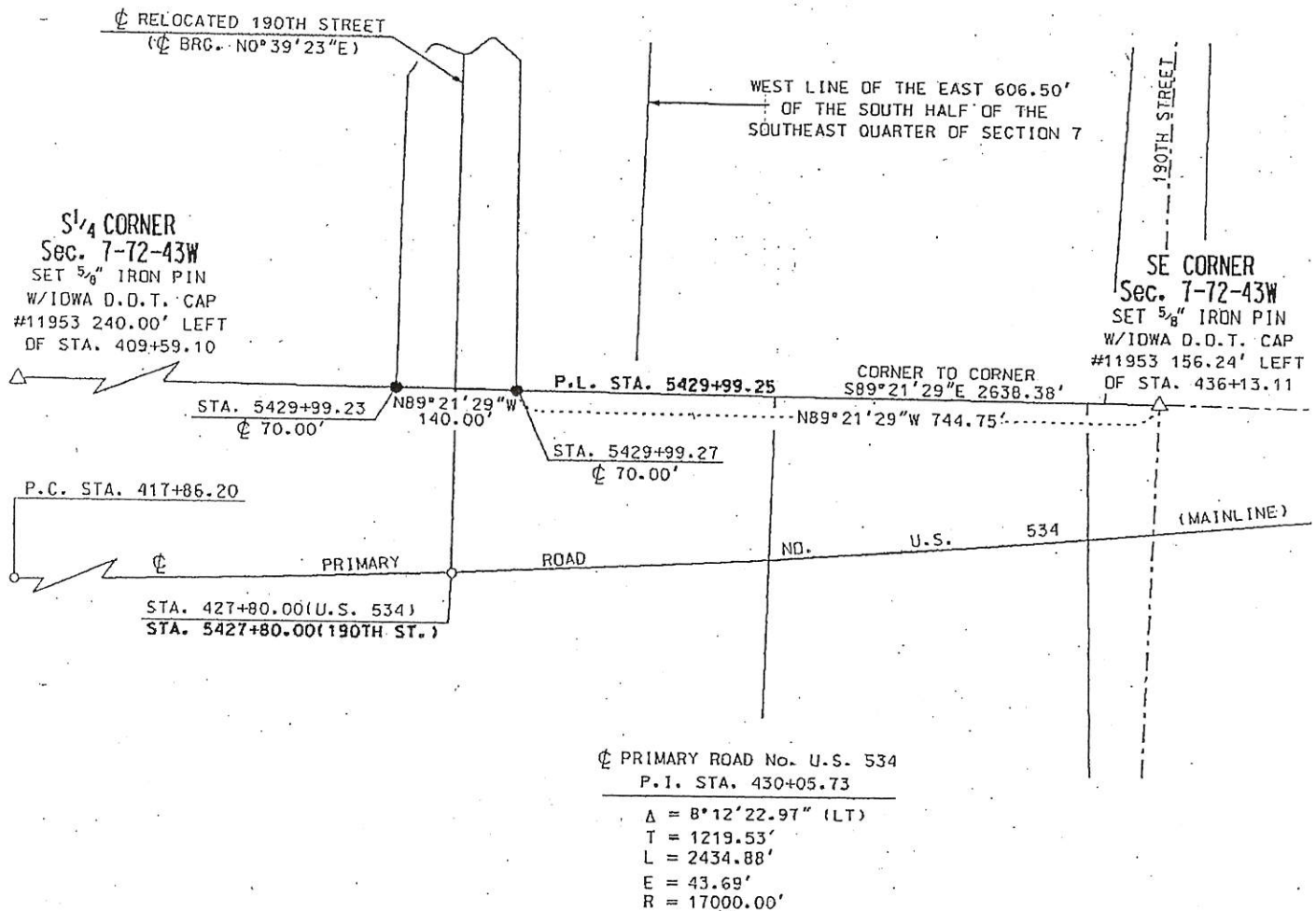
*Mike J. Jensen* 2-3-09  
MIKE J. JENSEN Date  
11953  
Pages covered by this seal 1  
My License Renewal date is December 31, 2010



IOWA DEPARTMENT OF TRANSPORTATION  
GRAPHIC EXHIBIT



COUNTY MILLS STATE CONTROL NO. \_\_\_\_\_  
 PROJECT NO. NHSX-534-1(79)--3H-65 PARCEL NO. 10  
 SECTION 7 TOWNSHIP 72 N RANGE 43 W  
 ROW - FEE \_\_\_\_\_ AC. EASE \_\_\_\_\_ AC. EXCESS - EASE. \_\_\_\_\_ AC.  
 ACQUIRED ACCESS RIGHTS FROM STA. \_\_\_\_\_ TO STA. \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE \_\_\_\_\_  
 ACQUIRED ACCESS RIGHTS FROM STA. 5427+80.00 TO STA. 5429+99.25 SIDE ROAD EAST & WEST SIDE  
 ACQUIRED FROM MICHAEL D. AND CONNIE SCHMIESING



LEGEND	
●	5/8" REBAR W/CAP # 11953
○	FOUND PK NAIL
○	CALCULATED POINT
△	SET SECTION CORNER
▲	FOUND SECTION CORNER

Filed in the STATE LAND OFFICE  
 27 Pages(s) 654  
 6067  
 2-26-16