

# State of Iowa

## OFFICE OF THE SECRETARY OF STATE

Patent No. 6081

### STATE LAND OFFICE

The **STATE OF IOWA**, subject to conditions listed in this patent, hereby conveys to **Ronald J. Webb and Shirley Ann Webb as joint tenants with full rights of survivorship and not as tenants in common**, real estate in **Webster County, Iowa**, and more particularly described as follows:

A parcel of land partly in the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and partly in the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  all in Section 7, T88N, R29W of the 5<sup>th</sup> Principal Meridian, Webster County, Iowa, identified as Parcel "D", on Plat of Survey, Exhibit "A" attached hereto, which by this reference is made a part hereof, more particularly described as follows:

Beginning at the SW Corner of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 7; thence S89°21'22"E, 2343.47 feet on the south line of said SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  and the south line of the SW $\frac{1}{4}$  of the NE $\frac{1}{4}$  to the center of a drainage ditch; thence N22°52'28"E, 225.43 feet along said center of drainage ditch; thence N01°11'47"E, 111.19 feet along said center of drainage ditch; thence N76°24'23"W, 82.70 feet; thence N13°35'37"E, 28.43 feet; thence N78°03'50"W, 1751.11 feet; thence N78°02'07"W, 620.67 feet to the existing southerly right of line of the Union Pacific Railroad; thence S58°45'33"W, 30.55 feet on said southerly railroad right of way line to the west line of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 7; thence S00°46'44"W, 814.70 feet, to the Point of Beginning, containing 32.81 acres.

Direct access between the above described parcel of land and U.S. 20 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.

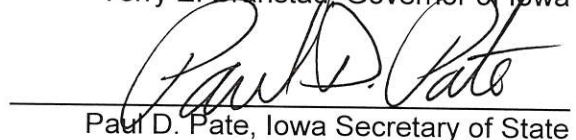
**CONDITIONS:** Authority and consideration for issuance of this patent are stated in the certificate of the **Right of Way Director of the Iowa Department of Transportation** filed with the State Land Office as provided in *Iowa Code* Section 9G.6. This conveyance is subject to the conditions imposed 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 31<sup>st</sup> day of MARCH, 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 130 in the State Land Office.

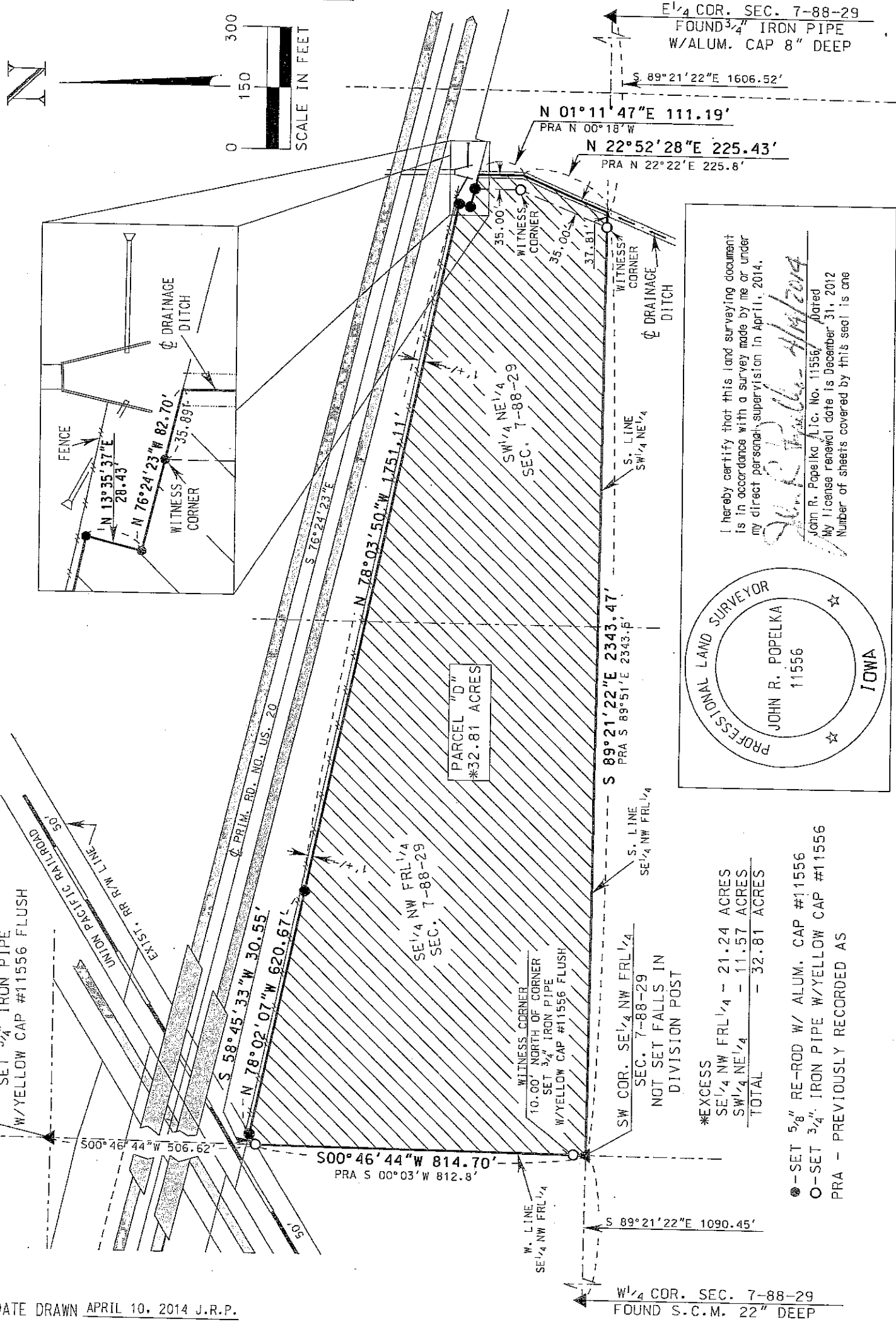


Paul D. Pate, Iowa Secretary of State

PLAT OF SURVEY  
EXHIBIT "A"

COUNTY WEBSTER STATE CONTROL NO. 17-00  
 PROJECT NO. F-520-3(19)--20-94 PARCEL NO. 17  
 SECTION 7 TOWNSHIP 88N RANGE 29W  
 ROW - FEE \_\_\_\_\_ AC, EASE \_\_\_\_\_ AC, EXCESS - FEE \*32.81 AC  
 ACQUIRED FROM Clarence Katnik

SOLD TO: \_\_\_\_\_  
 COUNTY AUDITOR PARCEL DESIGNATION "D"



I hereby certify that this land surveying document is in accordance with a survey made by me or under my direct personal supervision in April, 2014.

*John R. Popelka*  
 John R. Popelka, Lic. No. 11556, dated \_\_\_\_\_  
 My license renewal date is December 31, 2012  
 Number of sheets covered by this seal is one

PROFESSIONAL LAND SURVEYOR  
 JOHN R. POPELKA  
 11556  
 IOWA

*EXCESS	
SE 1/4 NW FRL 1/4 - 21.24 ACRES	
SW 1/4 NE 1/4 - 11.57 ACRES	
TOTAL	- 32.81 ACRES

● - SET 5/8" RE-ROD W/ ALUM. CAP #11556  
 ○ - SET 3/4" IRON PIPE W/YELLOW CAP #11556  
 PRA - PREVIOUSLY RECORDED AS

INST. NO. 8  
 WEBSTER COUNTY, IOWA  
 FILED FOR RECORD  
 AUG 15 1989 AT 10:30 A.M.  
 JUDY R. COSGROVE, REC'D  
 By JAC  
 Recording Fee \$ 15.00  
 Auditor's Transfer Fee \$ 5.00

REC'D  
 AUG 15 1989  
 157-35  
 JUDY R. COSGROVE  
 REC'D

WARRANTY DEED AUG 1 1989 Webster

BOOK 205 PAGE 123

Know All Men By These Presents: That Clarence Katnik, single, of Webster County, State of Iowa, in consideration of the sum of One Hundred Forty-three Thousand Eight Hundred Forty-nine and no/100----- (\$143,849.00)-----DOLLARS and other valuable considerations in hand paid by Iowa Department of Transportation, do hereby sell and convey unto the STATE OF IOWA, the following described premises situated in the County of Webster, State of Iowa, to-wit:

A parcel of land located in the SE 1/4 NW Frt. 1/4 and a parcel of land located in the NW Frt. 1/4 and in the NE 1/4, all in Sec. 7, T88N, R29W of the 5th P.M., Webster County, Iowa, as shown on Right of Way Plat Exhibit "A" attached hereto and by reference made a part hereof.

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

Commencing at the NW Corner of said Sec. 7; thence S00°14'E, 1397.62 ft. on the west line of said NW Frt. 1/4 to the tangent of Relocated Primary Road No. U.S. 20; thence S76°54'E, 1125.6 ft. on said tangent and the centerline of said Relocated Primary Road No. U.S. 20 to the west line of the SE 1/4 NW Frt. 1/4; thence N00°03'E, 80.1 ft. on said west line to the existing northwesterly right of way line of present U.S. 20, the Point of Beginning; thence continuing N00°03'E, 63.6 ft. on said west line; thence S76°54'E, 76.7 ft. to said northwesterly right of way line; thence S58°16'W, 87.9 ft. on said northwesterly right of way line to the Point of Beginning; containing 0.06 acre.

Also: Commencing at the NW Corner of said Sec. 7; thence S00°14'E, 1397.62 ft. on the west line of said NW Frt. 1/4 to the tangent of Relocated Primary Road No. U.S. 20; thence S76°54'E, 1341.1 ft. on said tangent and the centerline of said Relocated Primary Road No. U.S. 20 to the existing southeasterly right of way line of the Chicago and North Western Transportation Company Railroad, the Point of Beginning; thence S58°16'W, 246.9 ft. on said southeasterly railroad right of way line to the west line of said SE 1/4 of the NW Frt. 1/4; thence S00°03'W, 812.8 ft. on said west line to the SW Corner of said SE 1/4 of the NW Frt. 1/4; thence S89°51'E, 2343.5 ft. on the south line of said SE 1/4 NW Frt. 1/4 and the south line of the SW 1/4 NE 1/4 to the centerline of a drainage ditch; thence N22°22'E, 225.8 ft. on said centerline of the drainage ditch; thence N00°18'W, 1080.0 ft. on said centerline of the drainage ditch; thence N65°32 1/2'W, 1053.0 ft. on said centerline of the drainage ditch to said existing southeasterly railroad right of way line; thence S58°16'W, 1475.1 ft. on said southeasterly railroad right of way line to the Point of Beginning; containing 75.65 acres.

This deed is given in fulfillment of a certain real estate contract dated June 9, 1989, and recorded in the Webster County Recorder's Office on June 15, 1989, in Book 397, Pages 193-195.

And the grantors do hereby covenant with the said grantee that said grantors are lawfully seized of said premises; that they have good and lawful authority to sell and convey the same; that said premises are free and clear of all liens and encumbrances whatsoever; and said grantors covenant to warrant and defend the title to said premises against the lawful claims of all persons whomsoever, and each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the above described premises.

Webster County Project No. F-520-3(19)--20-94  
 Clarence Katnik (Parcel 17)

STATE OF IOWA  
 Webster County  
 Audited for Taxation AUG 17 1989  
 U.M. Anderson  
 AUDITOR  
 DEPUTY

Recorded in the STATE LAND OFFICE  
 Vol. 27 Page(s) 30  
 Patent No. 6081  
 Date 3-30-16

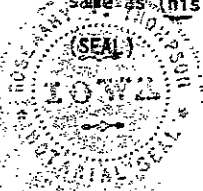
Words and phrases herein, including acknowledgment hereof shall be construed as in the singular or plural number, and as feminine or masculine gender, according to the context.

Signed this 26<sup>th</sup> day of JULY, A.D. 1989 (SIGN IN INK)

x Clarence Katnik  
Clarence Katnik

STATE OF IOWA, COUNTY OF WEBSTER, ss:

On this 26<sup>th</sup> day of JULY, A.D. 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared CLARENCE KATNIK 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.



Rosemary V. Thompson (Sign in Ink)  
Rosemary V. Thompson (Print/Type Name)  
Notary Public in and for said State of Iowa

RECORDING INFORMATION: This land is being acquired for public purposes and a declaration of value is not required. Iowa Code Sec. 428A.1.

Other considerations agreed to by contract have been paid as consequential damages or for other purposes which are not subject to real estate transfer tax.

This is an Iowa Department of Transportation Transaction, IA DOT, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010

Webster County Project No. F-520-3(19)--20-94  
Clarence Katnik (Parcel 17)

BOOK 205 PAGE 124

Recorded in the STATE LAND OFFICE	
Vol. <u>27</u>	Page(s) <u>13</u>
Patent No. <u>6081</u>	Date <u>3-30-16</u>

FILED NO. 891  
 WEBSTER COUNTY IOWA  
 FILED FOR RECORD  
 AUG 15 1989 AT 10:31 A.M.  
 JUDY R. COSSGROVE, RECORDER  
 By JRC  
 Recording Fee \$ 10.00  
 Auditor's Transfer Fee \$ —

RECORDED PAGE 26 OF 557

**AFFIDAVIT OF POSSESSION**

STATE OF IOWA }  
 WEBSTER COUNTY } ss.

The undersigned first being duly sworn (or affirmed) upon oath deposes and states:

That Clarence Katnik is now the record titleholder of the following described real estate, situated in Webster County, Iowa, to-wit:

The East Half of the Northwest Quarter (NW 1/4) and the West Half of the Northeast Quarter (NE 1/4) of Section Seven (7), Township Eighty-eight (88) North, Range Twenty-nine (29), West of the 5th P.M., Webster County, Iowa, except railroad right of way; except highways; except mineral reservations, and except that part described as follows:

Beginning at the Southeast corner of the West Half of the North East Quarter of said Section Seven (7), running thence north on the east line of said eighty acres, a distance of 2441.2 feet to the southerly line of the railroad right of way; thence in a southwesterly direction along the southerly line of said right of way 1059.5 feet to the center of a dredge ditch; thence in a southeasterly direction along the center of said dredge ditch 1053 feet to a point 207 feet west and 1289 feet north of the place of beginning; thence south parallel with first course 1080 feet to a point 207 feet west and 209 feet north of the place of beginning; thence in a southwesterly direction to a point 294 feet west of the place of beginning, and thence east 294 feet to place of beginning.

That said Clarence Katnik is now in complete actual and sole possession of all of said real estate except as may be herein stated, and that they and their predecessors (who held record title thereof) in the recorded chain of title under which they claimed and claim ownership and the right to possession of the said real estate have been, since prior to January 1, 1970, in continuous, actual, visible, open, notorious, exclusive and unquestioned possession thereof, under color of title and claim of right to the exclusive possession as against the world and have improved said property and paid the taxes thereon; thence neither the title nor the right to possession of said titleholders or any of those under whom they claim have been disputed or openly attacked by any one. That this affidavit is made from the personal knowledge of the undersigned who is familiar with said real estate, its titleholders and its parties in possession; and is for the purpose of confirming title to the above described real estate under the provisions of Section 614.17, Code of Iowa, and other statutes relative thereto.

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

Dated this 26<sup>TH</sup> day of JULY, 1989.

Clarence Katnik  
 Clarence Katnik, Affiant



Subscribed in my presence and sworn to (or affirmed) before me by the said affiant this 26<sup>TH</sup> day of JULY, 1989.

Rosemary V. Thompson (Sign in Ink)  
ROSEMARY V. THOMPSON (Print/Type Name)  
 Notary Public in and for said State of Iowa

Recorded in the STATE LAND OFFICE  
 Vol. 2A Page(s) 732  
 Patent No. 608  
 Date 3-30-16

POWER OF ATTORNEY

The undersigned, owner in possession of said property as above stated, hereby directs that this affidavit be filed of record and hereby appoints the County Recorder of the County wherein said land is situated as the authorized attorney in fact to file same.

Clarence Katnik  
Clarence Katnik, Owner in Possession

STATE OF IOWA, COUNTY OF WEBSTER, ss:

On this 26<sup>TH</sup> day of JULY, A.D. 1989, before me, the undersigned, a Notary Public in and for said State, personally appeared CLARENCE KATNIK 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.



Rosemary V. Thompson (Sign in Ink)  
ROSEMARY V. THOMPSON (Print/Type Name)  
Notary Public in and for said State of Iowa

MARGINAL ENTRY

STATE OF IOWA, COUNTY OF Webster, ss:

The undersigned Recorder in and for said County in the State aforesaid, hereby certifies that the foregoing affidavit was filed in said Recorder's Office by the owner in possession as named in said affidavit or by his attorney in fact as shown by the records; and duly recorded and entered on the records thereon on the \_\_\_\_\_ day of \_\_\_\_\_, 19AUG 15 1989.

Judy R. Cosgrove

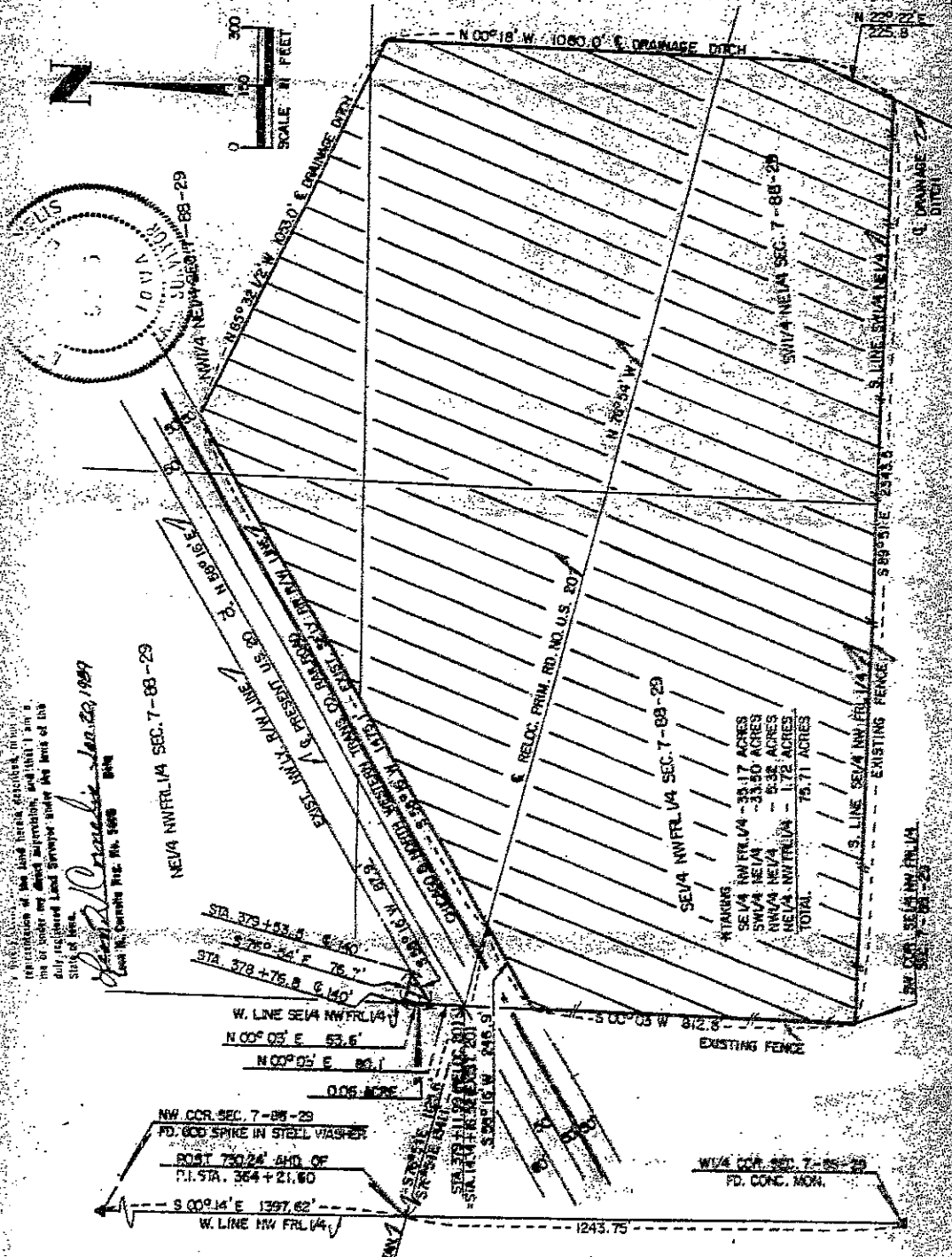
Recorded in the STATE LAND OFFICE	
Vol. <u>27</u>	Page(s) <u>733</u>
Patent No. <u>10081</u>	Date <u>3-30-16</u>

IOWA DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY PLAT  
EXHIBIT "A"

COUNTY WEBSTER STATE CONTROL NO. 17-00  
 PROJECT NO. F-520-3(19)-20-94 PARCEL NO. 17  
 SECTION 7 TOWNSHIP 88N RANGE 23W  
 ROW-FEE \*75.71 AC. EASE \_\_\_\_\_ AC. EXCESS-FEE \_\_\_\_\_ AC  
 ACQUIRED FROM CLARENCE KATNIK

NOTE: BEARINGS AND DISTANCES CALCULATED UNLESS OTHERWISE LABELED



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*John R. ...*  
 License No. 5488  
 License No. 5488

DATE DRAWN August 31, 1988 SEP SCALE 1" = 30'

Recorded in the STATE LAND OFFICE  
 Vol. 27 Page(s) 134  
 Patent No. 6081  
 Date 3-30-16