

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 STATE LAND OFFICE

Easement No. 6182E

The **STATE OF IOWA**, pursuant to Iowa Code Section 306.45, subject to conditions listed in this easement, hereby conveys a perpetual and assignable right and easement to construct, maintain, repair, operate, patrol and replace a flood protection levee, including all appurtenances thereto to the **City of Council Bluffs, Iowa**, and its heirs, assigns, and successors in interest in real estate in **Pottawattamie County, Iowa**, described as:

(See Page 2 for Legal Description)

The real estate described within this easement is a part of the United States of America Interstate Highway System presently operated under the control and authority of the State of Iowa. The State of Iowa, their heirs and assigns, hereby reserve all such rights and privileges so that the land may be used for highway purposes without the easement granted in this document interfering with or abridging the rights of the State of Iowa to operate a highway within the Federal Interstate System.

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 17th day of April, 2017.


Terry E. Branstad, Governor of Iowa


Paul D. Pate, Iowa Secretary of State

I hereby certify that the foregoing Easement is recorded in Vol. 27 Page 232 in the State Land Office.


Paul D. Pate, Iowa Secretary of State

(Legal description for Patent of Easement to City of Council Bluffs, Iowa)

A parcel of land located in Lots 3, 6, and 7, Block 87 of Knudson Subdivision to the City of Council Bluffs, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, and in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, all in T74N, R44W of the 5th P.M., City of Council Bluffs, Pottawattamie County, Iowa, as shown on Easement Plat Exhibit "A", attached hereto and by reference made a part hereof, said parcel is more particularly described as follows:

Commencing at the N $\frac{1}{4}$ Corner of said Section 11, thence S87°52'34"E 1211.08 feet along the north line of the NE $\frac{1}{4}$ of said Section 11 to a point on the present westerly right of way line of Indian Creek Flood Relief Channel, the Point of Beginning; thence N12°22'31"E 49.97 feet; thence S85°34'03"E 348.20 feet to a point on the present easterly right of way line of said Indian Creek Flood Relief Channel; thence N1°38'51"E 54.14 feet along said present easterly right of way line; thence S87°52'20"E 241.79 feet to a point on the easterly line of Lot 6 of said Block 87; thence S1°41'26"W 30.00 feet to a point on the east line of said Lot 7; thence N87°52'20"W 219.18 feet; thence S2°07'43"W 394.09 feet to a point on the present southerly right of way line of Interstate Route No. 29 and 80; thence along said present southerly right of way line for the following four (4) courses, N67°01'24"W 36.31 feet; N88°01'01"W 275.00 feet; S44°54'16"W 58.74 feet; S86°10'36"W 98.85 feet to a point on the present westerly right of way line of Indian Creek Flood Relief Channel; thence N12°22'31"E 382.00 feet along said present westerly right of way line to the Point of Beginning, said parcel contains 3.64 acres or 158,324 square feet.

IOWA DEPARTMENT OF TRANSPORTATION
EASEMENT PLAT
EXHIBIT "A"



COUNTY **POTTAWATTAMIE** STATE CONTROL NO. _____
 PROJECT NO. **IMN-29-3(65)54--0E-78** PARCEL NO. **215, 302, 303**
 SECTION **2 & 11** TOWNSHIP **74N** RANGE **44W**
 ROW - FEE _____ AC. EASE ***3.64** ACRES. QUIT CLAIM _____ ACRES
 ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ MAIN LINE _____ SIDE
 ACQUIRED FROM **Various Owners**

Easement to: City of Council Bluffs, Iowa

* SW 1/4 SE 1/4 SEC. 2 = 0.12 ACRES
 SE 1/4 SE 1/4 SEC. 2 = 0.36 ACRES
 NW 1/4 NE 1/4 SEC. 11 = 1.25 ACRES
 NE 1/4 NE 1/4 SEC. 11 = 1.91 ACRES
 TOTAL EASEMENT = 3.64 ACRES

