

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. 6183E

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

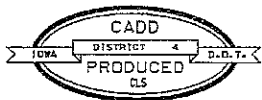
I hereby certify that the foregoing Easement is recorded in Vol. 27 Page 233 in the State Land Office.


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 NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 18, T74N, R43W 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 18, thence S88°15'00"E 1074.76 feet along the north line of the NE $\frac{1}{4}$ of said Section 18 to a point on the present westerly right of way line of Mosquito Creek Drainage Ditch; thence S2°31'17"E 100.28 feet along said westerly right of way line to the Point of Beginning; thence S88°15'00"E 73.29 feet; thence S36°01'06"E 584.74 feet to a point on the present easterly right of way line of Mosquito Creek Drainage Ditch; thence N0°50'00"W 177.93 feet along said present easterly right of way line to a point on the present easterly right of way line of Interstate Route No. 29; thence S38°01'47"E 57.90 feet along said present easterly right of way line of Interstate Route No. 29; thence S0°50'00"E 500.00 feet; thence S89°10'00"W 35.00 feet to a point on said present easterly right of way line of Mosquito Creek Drainage Ditch; thence S0°50'00"E 389.12 feet along said present easterly right of way line of Mosquito Creek Drainage Ditch to a point on the present westerly right of way line of Interstate Route No. 29; thence N38°41'56"W 637.63 feet along said present westerly right of way line of Interstate Route No. 29 to a point on the westerly right of way line of Mosquito Creek Drainage Ditch; thence N2°17'48"W 735.38 feet along said present westerly right of way line to the Point of Beginning, said parcel contains 329,685 square feet or 7.57 acres.



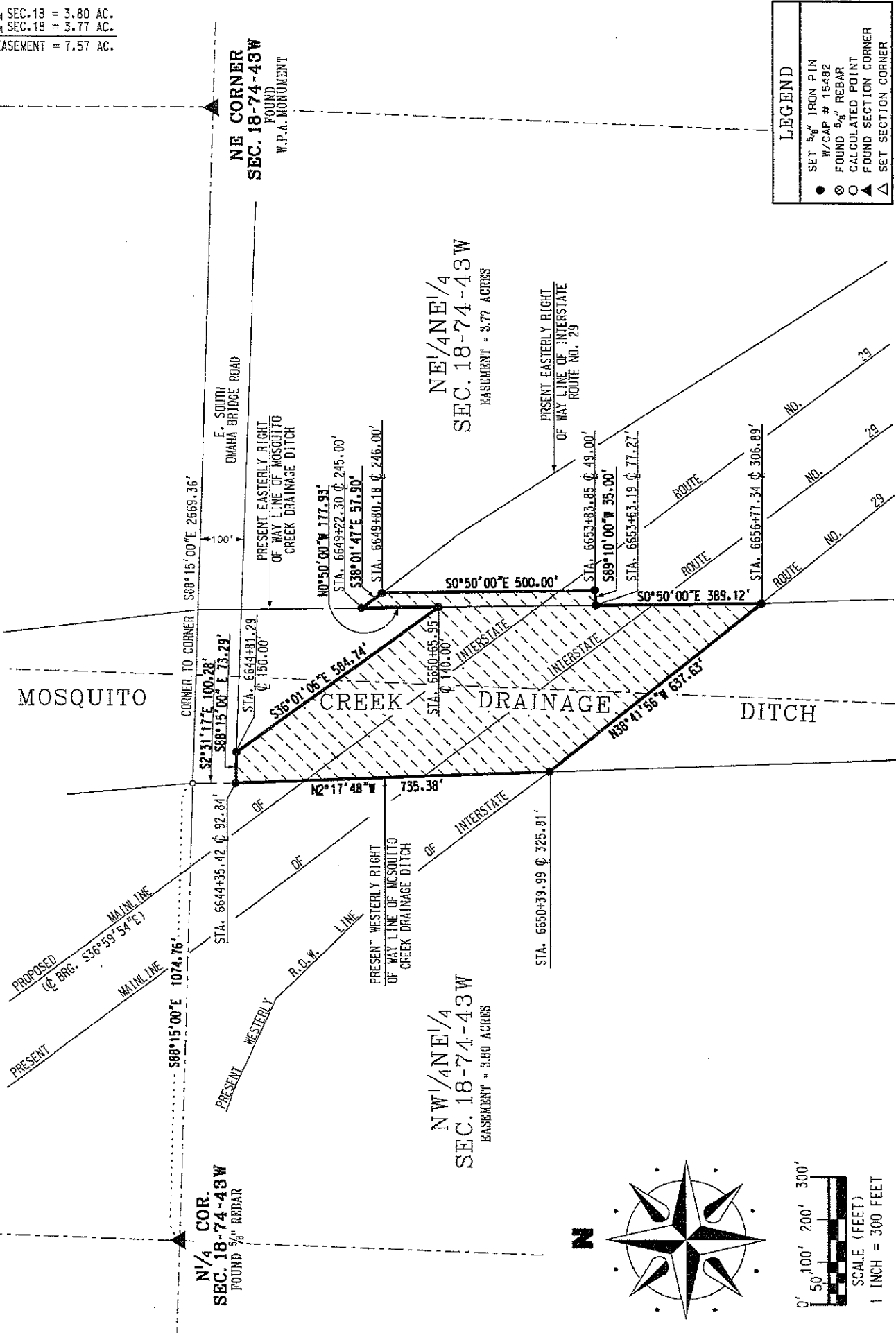
IOWA DEPARTMENT OF TRANSPORTATION
EASEMENT PLAT
EXHIBIT "A"



COUNTY **POTTAWATTAMIE** STATE CONTROL NO. _____
PROJECT NO. **IMN-29-3(65)54--OE-78 & I-IG-29-2(2)49--04-78** PARCEL NO. **384, 394, 2**
SECTION **18** TOWNSHIP **74N** RANGE **43W**
ROW - FEE _____ ACRES, EASE *** 7.57** AC, EXCESS - FEE _____ AC
ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ MAIN LINE _____ SIDE
ACQUIRED FROM **Various Owners**
Easement to: City of Council Bluffs, Iowa

* NW 1/4 NE 1/4 SEC. 18 = 3.80 AC.
NE 1/4 NE 1/4 SEC. 18 = 3.77 AC.
TOTAL EASEMENT = 7.57 AC.

CITY OF COUNCIL BLUFFS, IOWA



LEGEND

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

