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

Patent No. 6085

### STATE LAND OFFICE

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

A parcel of land located in NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ , NE  $\frac{1}{4}$  SW  $\frac{1}{4}$ , SW  $\frac{1}{4}$ , and the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 7, Township 72 North, Range 43 West of the 5th P M, Mills County, lowa, 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.

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 12th day of , 2016.

Terry E. Branstad, Governor of Iowa

Paul D. Pate, Iowa Secretary of State

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I hereby certify that the foregoing Patent is recorded in Vol. 27 Office.

Page 134 in the State Land

Paul D. Pate, Iowa Secretary of State



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

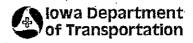


COUNTY	MILLS		<del>-</del> .			/DXA
SECTION	HSX-534-1(79)	3Н-65	SIAIE	CONTROL NO.		
ROW - FEE*4.	4 00	TOWNSHIP 72	NFA	RCEL NO RANGE	10 43 W	
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	EXISTING FENCE LIN	£//////			SOUTHER HAMMOND	RNE
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NO N	SEC.7-7	2-43W	, , , , , , , , , , , , , , , , , , ,	SE <sup>1</sup> /4SW	1/4 1 12	CORNER
74.	NEW FEE = UNDERLYING FEE =	= 0.44 ACRE	24.5	SEC.7-72	-43W  -	
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OF STA. 383+40.09			////5	2	ET <sup>5</sup> /8" IRON PIN 'IOWA D.O.T. CA	N
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₡ 364.90'		CORNER TO CORNER S89°21'29"E 2638.38		STA. 402+50.00 £ 264.34'		
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	PRIMARY (N86°40'03"E	<del></del>			ROAD No. U.S. 534	
	·	P.C. JIA. 100 V	<u> </u>	P-1. Δ=,	STA. 406+43.41 4-20'05.74" (RT)	-
		]	NE <sup>I</sup> / <sub>4</sub> NW	$\frac{1}{4}$ , $\frac{1}{1}$	543.41'  286.20'	
	NW <sup>1</sup> / <sub>4</sub> NW <sup>1</sup> / <sub>4</sub>	•	SEC.18-72-		2.17' 7000.00'	
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	C.18-72-43W	LAND SU	ind not not applied \$121016	and that I am a duly lic s of the State of Iona.	ensed Land	, 6
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W/CAP. 93BO  SET 58 IRON PIN		JENSEN 11953	MIKE J.		Date	
W/CAP 11953  A FOUND SECTION CORN	FR	A Commonweal of the Commonweal	Pages covered by this s	<del></del>		დ დ ბ
△ SET SECTION CORNER	64t)	Manage S	My License Renewal date		-	<u> </u>

My License Renewel date is December 31, 2010

Date 12/28/2009 Time 1:08 PM Rec:Amt \$29.00 Aud Amt \$5.00 Rev Transfer Tax \$515.20 Rev Stamp# 118 VICKI McCLINTIC, COUNTY RECORDER MILLS IOWA

indx 1/



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

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 5th 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.

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 SE½ SE½ 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)

Recorded	in the STATE LAN	D OFFICE
Vol	Page(s)	38
Patent No.	6085	
Date	-15-16	

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.

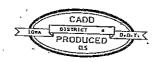
This land is being acquired for public purposes through eminent domain and a Declaration of Value is not required. Iowa Code Sec. 428A.1.

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 $2007$ . (SIGN IN INK)	
Les Conversing	· · · · · · · · · · · · · · · · · · ·
Michael D. Schmiesing Connie Schmiesing	
STATE OF LOWA COUNTY OF Mills , ss:	. <del>.</del>
On this 4 day of DECE MBER, A.D. 2009, before me, the undersigned,	a
Notary Public in and for said State, personally appeared, Michael D. Schmiesing and Connie Schmiesing	<b>3</b> 2
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)  JANET HALL Commission Number 110583 MY COMMISSION, EXPIRES Notary Public in and for said State of Towa	lnk)
100% 1 100 M and 101 Said State of 1000 A	

Mills County Project No. NHSX-534-1(79)—3H-65 Michael D. and Connie Schmiesing (Parcel 10) Recorded in the STATE LAND OFFICE Vol. 27. Page(s) 139
Patent No. 6085
Date 4-15-16



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



PROJECT NO. N	MILLS HSX-534-1(79	))	·	_ STATE CONTROL NO		7011
SECTION		TOWNSHIP	72 N	PARCEL NO:		.4
ROW - FEE	4.65	AC. FASE	·	RANGE		
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	N22*49'16"E 84.23		P.L STA. 54	DE HAMMOND 20, 20, 42+78.01	O' AVE.	
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SI/4 CORNER						. ' ;
ec. 7-72-43\					SE CODMEC	,
T 5/8" IRON PIN OWA D.O.T. CAP			: .		SE CORNER Sec. 7-72-	
53 240.00' LEFT STA. 409+59.10	•		STA. 5429		SET 5/8" IRON	PIN
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	STA. 5429+99.27	N89°21'29"W		L. STA. 5429+99.25	OF STA. 436+	13.11
	¢ 70.00'	138.11	N89*2	1*29*W 606.64*	1	
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# IOWA DEPARTMENT OF TRANSPORTATION ACQUISITION PLAT EXHIBIT "A" PLAT 1 OF 2



COUNTY _ PROJECT	NO. <b>NH</b>	MILLS SX-534-1(7	/O) O**			STA1	TE CONTROL N	0	(BEA
SECTION . ROW - FE		<del></del>				F	PARCEL NO. 🚊	10	
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	<del></del>		i	Date	1	4-15-	16	· 📉	<b>*</b>
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Sec. 7-72-7 FOUND Sol IRC	43W	⊈ 1721.87'	-589#44*57"E	1170 097	(a)	STA. 39 © 165	9+59.89 H	[C 2]	4 SW1/4 7-72-43W
NO	15'03"E			Z Z		- J.		= 71 M\10!	IRON PIN WA D.O.T. #11953
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	7.21, 29 E	a ////						#/10WA D.O. #11953 240.0	T. CAP DO LEFT
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						NE <sup>1</sup> / <sub>4</sub> N	$W^{1}/_{4}$	- Δ = 4*20'05.74* I = 643.41' L = 1286.20'	IRT)
<del>-</del> -33'	N	$W^{1}/_{4}NW^{1}/_{4}$			1 .	CC.18-72	of this land survey	E = 12.17' R = 17000.00' ing document was prepar	<del></del>
-66	!	.18-72-43W	3	ZEZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZ	Ally. "	y direct supervisi	reu survey work was p ion and thet law a	performed by me or under	r ,
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· CALCULAT	ED POINT		CE.	J.	610	M. Bra	J. Janese	2-3-0	Page Page
W/CAP. ▼ SET S <sub>28</sub> " I W/CAP	9380 '		(V) **	JENSEN 11953	*	•	J. JENSZN 1953	Date	2009 P
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	ON CONDEK			MILLER	lly .	License Renewol	dote is December 31.	2010	80 0 4. A o f



### TOWA DEPARTMENT OF TRANSPORTATION. GRAPHIC EXHIBIT



COUNTYMILLS			•	/01	
PROJECT NO. NHSX-534-1(79)	3H-65	STATE	E CONTROL NO.		
2FP110M	Transfer	No. 1	ARCEL NO	10	
ROW - FEE	10MV3H1P	IZ N	RANGE	43 W	
ACOUIRED ACCESS RIGHTS FROM STA.  ACOUIRED ACCESS RIGHTS FROM STA.	RV, EASE	AC, E	EXCESS - EASE.		AC.
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ACQUIRED ACCESS RIGHTS FROM STA.  ACQUIRED FROM MICHAEL D.	AND CONNIE	SCHMIESING	SIDE ROADE	AST & WEST	_SIDE
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•				-
- # HELOCATED 190TH STREET	,			*
( BRG - NO.33, 53, E)	~ ^ ·	•		•
2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	$\mathcal{T}$	'.		st . i 1
		. WEST I ING	OF THE EAST 606.50	
		TOP THE	SOUTH HALF OF YOU	
		SOUTHEAST	QUARTER OF SECTION	7
· · · · · · · · · · · · · · · · · · ·				201H STREET
- [ '				07
S <sup>1</sup> / <sub>4</sub> CORNER				.
Sec. 7-72-43W				1 1
SET "" IRON PIN				SE CORNER
W/IOWA D.D.T. CAP		•	-	Sec. 7-72-43W
#11953 240.00' LEFT.				SET 5/8" IRON PIN
DF STA. 409+59.10		,	•	W/IDWA D.D.T. CAP
Δ	P.I ST	5429-199-25 c	CORNER TO CORNER.	#11953 156.24' LEFT
STA. 5429+99.23 /NB9	21'29"W\	2 2 2 2 3 2 3	89°21'29"E 2638.38'	OF STA. 436+13.11
<b>₹</b> 70.00′	10.00,		1'29"W 744.75:	
•	STA. 542	9499.27		i.
P.C. STA. 417+86-20		00'		
	,			
		,	U.S. 534	(MAINLINE)
PRIMARY .	ROAD	. NO.	<u>U-3-</u>	
	Y			
STA. 427+80.00(U.S. 534) STA. 5427+80.00(1907H ST.	j	]	•	1
514. 5427450.00(19DTH: ST. )	;			1
				1. i .
			·.	
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	, ф по	IMARY ROLD W	•	
	Ψ. FR	IMARY ROAD No. U.S. P.I. STA. 430+05.73	534	i -
			· .	
		Δ = B'12'22.97" (LT T = 1218.53'	<b>)</b>	
·		L = 2434.88'	•	
	•		-	•



#### LEGEND

- 58" REBAR W/CAP # 11953
- FOUND PK NAIL
- O CALCULATED POINT
- △ SET SECTION CORNER •

  ★ FOUND SECTION CORNER

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