State of Iowa

OFFICE OF
THE SECRETARY OF STATE

STATE LAND OFFICE

The STATE OF IOWA, subject to conditions listed in this patent, hereby conveys to City of Dubuque, Iowa, real estate in Dubuque County, Iowa, and more particularly described as follows:

Lot 1 of Lot 2 of Lot 3 of City Lot 505 in the City of Dubuque, Dubuque County, Iowa. Said parcel contains 20,111 square feet, more or less. More particularly described as follows:

Beginning at the Northeast corner of said Lot 1-1-2-3 of City Lot 505; thence South 23 degrees 42 minutes 49 seconds East, 255.53 feet along the Easterly line of said Lot 1-1-2-3 of City Lot 505 to the Southeast corner of said Lot 1-1-2-3 of City Lot 505; thence South 66 degrees 56 minutes 04 seconds West, 87.84 feet along the Southerly line of said Lot 1-1-2-3 of City Lot 505; thence Easterly along said Easterly right of way line of Elm Street; thence Northerly along said Easterly right of way line of Elm Street along a curved path concave to the Northeast having a radius of 1,532.14 feet, a central angle of 9 degrees 35 minutes 23 seconds, a chord bearing of North 18 degrees 02 minutes 35 seconds West and a chord distance of 256.14 feet to the Southerly right of way line of East 11th Street; thence North 66 degrees 36 minutes 09 seconds East, 62.83 feet along said Southerly right of way line of East 11th Street to the point of beginning, containing 20,111 square feet, more or less.

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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 93.6. 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 24th day of March, 2014.

Terry E. Branstad, Governor of Iowa

Matt Schultz, Secretary of State

I hereby certify that the foregoing Patent is recorded in Vol. 26 Page 140 in the State Land Office.

Matt Schultz, Iowa Secretary of State
Dubuque County
City of Dubuque, Iowa
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AND

Lot 1-1-1-1 of City Lot 506 and Lot 1-1-1-2 of City Lot 506 in the City of Dubuque, Dubuque County, Iowa, as shown on Excess Right of Way Plat of Survey attached hereto and by reference made a part hereof more particularly described as follows:

Lot 1 in Intermodal Place No. 2.

Beginning at the Northeast corner of Lot 1-1-1-1 of City Lot 506; thence South 23 degrees 06 minutes 49 seconds East, 183.23 feet along the Easterly lines of said Lot 1-1-1-1 of City Lot 506 and Lot 1-1-1-2 of City Lot 506; thence South 11 degrees 05 minutes 53 seconds West, 88.76 feet to the Northerly right of way line of East 9th Street; thence South 66 degrees 43 minutes 11 seconds West, 33.89 feet along said Northerly right of way line of East 9th Street, to the Southwest corner of said Lot 1-1-1-2 of City Lot 506; thence North 24 degrees 03 minutes 44 seconds West, 256.90 feet along the Westerly lines of said Lot 1-1-1-2 of City Lot 506 and Lot 1-1-1-1 of City Lot 506 to the Northwest corner of said Lot 1-1-1-1 of City Lot 506; thence North 86 degrees 56 minutes 04 seconds East, 88.02 feet along the Northerly line of said Lot 1-1-1-1 of City Lot 506 and the Southerly right of way line of vacated East 10th Street, to the point of beginning, containing 20,221 square feet, more or less.

Note: The Northerly line of East 9th Street is assumed to bear South 66 degrees 43 minutes 11 seconds West for the purpose of this description.

Declaration of Value Filing is not required, as the State of Iowa is the Grantor and exempt from such filing by Section 428A.2(8) of the Code of Iowa.

No disturbance or excavation at a depth of six or more feet may be conducted on the property unless appropriate employee safety and health training procedures have been implemented, and the work is conducted in a manner that does not release or threaten the release of hazardous substances. Under no circumstances may water supply wells or private wells be drilled on the property without the written approval of the Environmental Protection Agency and the City of Dubuque. Any person that proposes to conduct activities on this property which will involve soil disturbance or excavation at a depth of six or more feet, must contact Midwest Gas, telephone number (712) 277-7500, and the Public Works Director, City of Dubuque, Iowa, telephone number (319) 899-4270, for guidance on appropriate employee safety and health training procedures and other guidance.

The Grantee for itself, its personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree, as a covenant running with the land, that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this Patent for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provisions of similar services or benefits, the Grantee shall maintain and operate such facilities and services in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.