

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: Hurd Indiana, LLC, 2000 Fuller Road, West Des Moines, IA 50265

State of Iowa

OFFICE OF THE SECRETARY OF STATE

Patent No. 5963

STATE LAND OFFICE

The **STATE OF IOWA**, subject to conditions listed in this patent, hereby conveys to **Hurd Indiana, LLC**, real estate in **Polk County, Iowa**, and more particularly described as follows:

A parcel of land in the SE¼ of the NE¼ of Section 34, T78N, R25W of the 5th P.M., now included in and forming a part of the City of West Des Moines, Polk County, Iowa, identified as Parcel "J" on Plat of Survey, Exhibit "A", attached hereto, which by this reference is made a part hereof, more particularly described as follows:

Commencing at the E¼ Corner of said Section 34; thence S89°58'09"W, 254.54 feet on the south line of said SE¼ of the NE¼ to the Point of Beginning; thence continuing S89°58'09"W, 801.56 feet on said south line; thence N40°08'27"W, 41.37 feet thence N14°30'23"W, 853.45 feet; thence N89°58'09"E, 276.53 feet to the existing southwesterly right of way line of SW 72nd Avenue; thence southeasterly 1202.77 feet on said southwesterly right of way line, along a 1159.08 foot radius curve, concave northeasterly, the chord for which bears S41°45'07"E and has a length of 1149.53 feet, to the Point of Beginning, containing 8.07 acres.

Direct access between the above described parcel of land and IA 5 and the interchange ramps will be prohibited.

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.

Declaration of Value Filing is not required, as the State of Iowa is the Grantor and exempt from such filing by Section 428A.2(6) 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 17th day of February, 2015.


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 12 in the State Land Office.

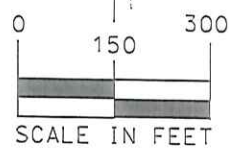

Paul D. Pate, Iowa Secretary of State

PLAT OF SURVEY
EXHIBIT "A"

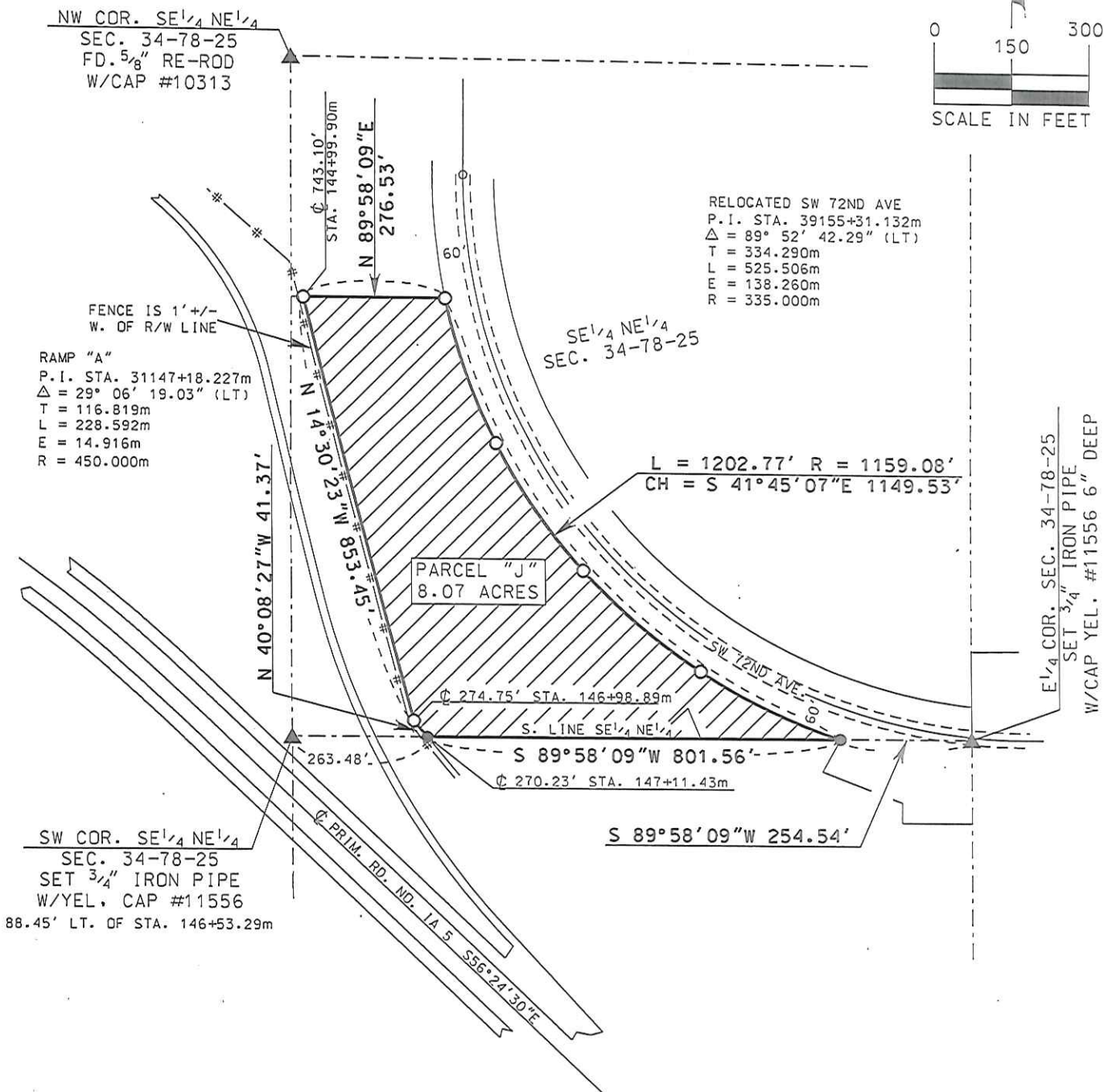
COUNTY POLK STATE CONTROL NO. _____
 PROJECT NO. NHSN-500-1(67)--2R-77 PARCEL NO. 115
 SECTION 34 TOWNSHIP 78N RANGE 25W
 ROW - FEE _____ AC, EASE _____ AC, EXCESS - FEE 8.07 AC
 ACQUIRED FROM HELENA M. SMITH ESTATE

SOLD TO: _____
 COUNTY AUDITOR PARCEL DESIGNATION "J"

- - SET 5/8" RE-ROD W/ ALUM. R.O.W. CAP #11556
- - FOUND 5/8" RE-ROD W/ ALUM. R.O.W. CAP #11556



CITY OF WEST DES MOINES, IOWA



I hereby certify that this Land Surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.

John R. Popelka 12/16/2014
 John R. Popelka License No. 11556 Dated
 My license renewal date is December 31, 2014.
 Pages or sheets covered by this seal: 1