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: Brittany Scarberry and Oscar Milton Kreft III and Chad Eugene Scarberry and Brent Kreft and Susan Kreft, 2343 Union Avenue, Sac City, IA 50583

# State of Iowa OFFICE OF THE SECRETARY OF STATE

Patent No. 5966

#### STATE LAND OFFICE

The STATE OF IOWA, subject to conditions listed in this patent, hereby conveys to Brittany Scarberry and Oscar Milton Kreft III and Chad Eugene Scarberry and Brent Kreft and Susan Kreft, real estate in Sac County, lowa, and more particularly described as follows:

A parcel of land located in a part of the Northeast ¼ of the Northwest ¼ and in a part of the Northwest ¼ of the Northeast ¼, all in Section 7, Township 88 North, Range 35 West of the Fifth Principal Meridian, Sac County, Iowa, as shown on the Acquisition Plat Exhibit "A" Plat 2 of 4 attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Northwest Corner of the Northwest ¼ of said Section 7; thence South 89°08'22" East, 1198.71 feet (365.369m) along the North line of said Northwest ¼ to the Point of Beginning; thence continuing South 89°08'22" East, 1104.30 feet (336.591m) along said North line to the Northwest Corner of the Northeast ¼ of said Section 7; thence South 88°58'38" East, 529.57 feet (161.413m) along the North line of said Northeast ¼; thence South 10°27'59" West, 161.99 feet (49.376m); thence South 19°14'22" West, 528.09 feet (160.963m); thence South 56°16'59" West, 579.75 feet (176.709m); thence North 89°03'07" West, 967.85 feet (295.002m); thence North 01°08'32" East, 989.94 feet (301.733m) to the Point of Beginning, containing 32.63 acres inclusive of 1.24 acres existing county roadway easement.

#### AND

A parcel of land located in a part of the Southwest ¼ of the Northeast ¼ of Section 7, Township 88 North, Range 35 West of the Fifth Principal Meridian, Sac County, Iowa, as shown on the Acquisition Plat Exhibit "A" Plat 3 of 4 attached hereto and by reference made a part hereof and more particularly described as follows:

(cont. page 3)

**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.



Terry E. Branstad, Governon of Iowa

Paul D. Pate, Iowa Secretary of State

I hereby certify that the foregoing Patent is recorded in Vol. 27 Page 15 in the State Land Office.

Paul D. Pate, Iowa Secretary of State

Sac County Scarberry and Kreft Patent Cont. from page 2

Beginning at the Southwest Corner of the Northeast ¼ of said Section 7; thence North 00°52'44" East, 1187.26 feet (361.879m) along the West line of said Northeast ¼; thence South 88°51'28" East, 1323.51 feet (403.406m) to a point on the East line of the Southwest ¼ of the Northeast ¼ of said Section 7; thence South 00°55'26" West, 1191.05 feet (363.033m) to the Southeast Corner of the Southwest ¼ of the Northeast ¼ of said Section 7; thence North 88°41'37" West, 1322.60 feet (403.128m) along the south line of the Northeast ¼ of said Section 7 to the Point of Beginning, containing 36.12 acres.

#### AND

A parcel of land located in a part of the Northwest Fractional ¼ of the Northwest ¼ and in a part of the Northeast ¼ of the Northwest ¼ in Section 7, Township 88 North, Range 35 West of the Fifth Principal Meridian, Sac County, Iowa, as shown on the Acquisition Plat Exhibit "A" Plat 4 of 4 attached hereto and by reference made a part hereof and more particularly described as follows:

Beginning at the Northwest Corner of the Northwest ¼ of said Section 7; thence South 89°08'22" East, 1198.71 feet (365.369m) along the North line of said Northwest Fractional ¼; thence South 01°08'32" West, 1032.59 feet (314.733m); thence North 88°17'05" West, 656.20 feet (200.010m); thence South 86°59'56" West, 544.89 feet (166.082m) to a point on the West line of said Northwest Fractional ¼; thence North 01°11'33" East, 1059.50 feet (322.937m) along said West line to the Point of Beginning, containing 28.46 acres, inclusive of 1.85 acres of existing county roadway easement.

Direct access between the above described parcels of land and U.S. 20 and Taylor Avenue 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.



#### IOWA DEPARTMENT OF TRANSPORTATION



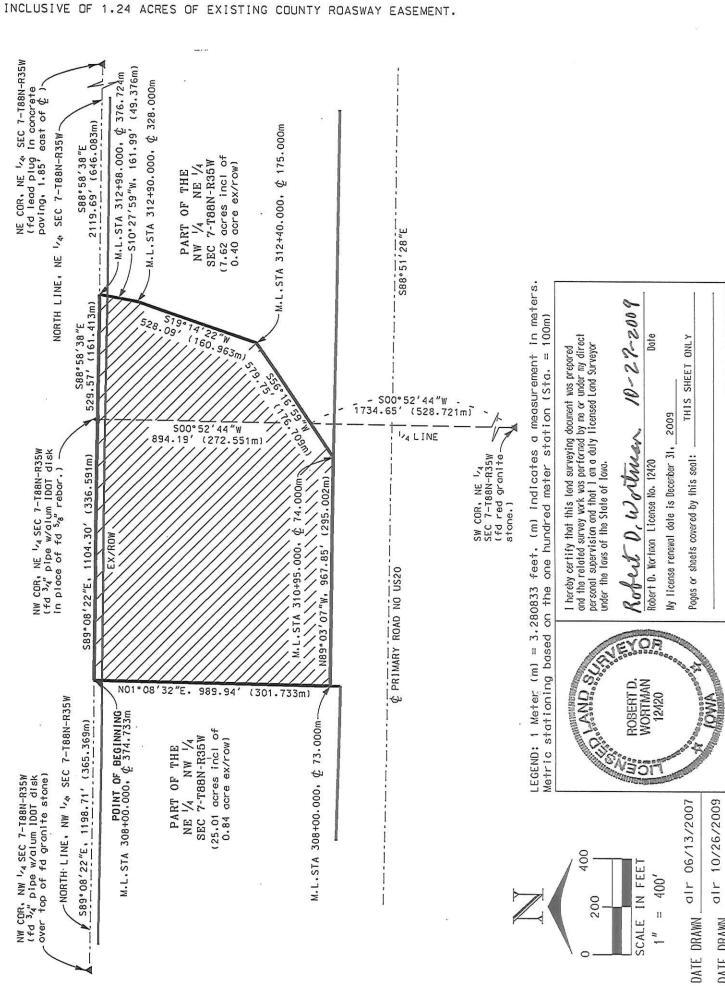
SCALE IN FEE 11

11 1

DATE DRAWN.

## ACQUISITION PLAT EXHIBIT "A" PLAT 2 OF 4

COUNTYPROJECT NO.		AC -020-2			STATE CONTROL NO PARCEL NO		
SECTION	7		TOWNSHIP	88N	RANGE AC, QUIT CLAI	35W	Δ.
ACQUIRED ACCESS ACQUIRED ACCESS	RIGHTS FROM RIGHTS FROM	STA	TO S'	ΓΑ ΓΑ	MAIN LINE SIDE ROAD	-	SIDE





#### IOWA DEPARTMENT OF TRANSPORTATION

### ACQUISITION PLAT EXHIBIT "A" PLAT 3 OF 4



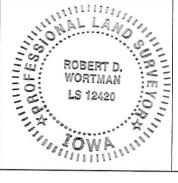
COUNTYPROJECT NO		AC -020-2(61)2R-8	1 X	STATE CONTROL NO	
SECTION	7	TOWNSHIP.	88N	PARCEL NO 106 RANGE 35W	
ROW - FEE	36.12	AC, EASE		AC, QUIT CLAIM	AC
ACQUIRED ACCESS	RIGHIS FRUM	STA	TO STA	MAIN LINF	SIDE
ACQUIRED ACCESS	RIGHTS FROM	STA.	TO STA.	SIDE ROAD	SIDE

NW COR, NE 14 (fd 3/4" pipe vin place of f	SEC 7-T88N-R35W v/alum IDOT disk d <sup>5</sup> ⁄8″ rebar)				
00.25	ROAD NO US20, \$88°51'28"E	Ξ ,			
1441.	VIGTH LINE				
· 1	28"E, 1323.51' (403.406m)		 M.L.STA 315	5+42.012	
WEST LINE. NE ''4, SEC 7-T88N-R35W NOO°52'44"E, 1187.26' (361.879m)	PART OF THE SW 1/4 NE 1/4 EC 7-T88N-R35W (36.12 acres)	\$00° 55′ 26″W. 111	\( \text{FAST LINE, SW \( \text{I_4 NE \( \text{I_4 SEC 7-T88N-R35W} \) \( \text{CSS} \) \	SE COR, NE SEC 7-T88N- (fd lead pl concrete po 0.53' east	R35W ug in ving,
POINT OF BEGINNIN M.L.STA 311+40.26 SW COR, NE 1/4 (fd red granite s	NE	Q	1322.60′ (3 1.L.STA 315+4 1.426.030m 1.5E COR. SW 1/2 1.5EC 7-T88N-R3	3.395,	
N	LEGEND: 1 Meter (m) = 3.28 Metric stationing based on	0833 feet. (m)	indicates a me	easurement in	meters.

300 SCALE IN FEET 1" = 300'

DATE DRAWN \_\_ 01r 06/13/2007

DATE DRAWN \_\_ air 10/26/2009



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 1 am a duly licensed Land Surveyor under the laws of the State of Lowa.

ect ). Wortman

10-27-2009

Robert D. Wortman License No. 12420

My license renewal date is December 31, 2009

Pages or sheets covered by this seal: \_\_\_THIS\_SHEET\_ONLY



## IOWA DEPARTMENT OF TRANSPORTATION ACQUISITION PLAT EXHIBIT "A" PLAT 4 OF 4



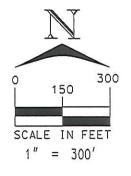
9009		LXIIID	III A FLA	11 4 UF 4		Jona
COUNTYPROJECT NO		AC -020-2(61)2R-8	81		STATE CONTROL NO	
SECTION		TOWNSHIP		88N	DANCE 35W	
ROW - FEE	28.46 *	AC, EASE			AC, QUIT CLAIM	A.C.
ACQUIRED ACCESS	RIGHTS FROM	STA	TO STA		MAIN LINE	SIDE
ACQUIRED ACCESS	RIGHTS FROM	STA	TO STA		SIDE ROAD	SIDE
	*	S OF EXISTING COUNTY	Y ROADWAY	EASEME	NT.	
/ (	fd 34" pipe v	SEC 7-T88N-R35W w/alum IDOT disk d granite stone.)				Ð

\$89°08'22"E, 1198.71" (365.369m)
NORTH LINE, NW FRACT'L 1/4, SEC 7-T88N-R35W S89°08′22″E 1104.30′ (336.591m) EX/ROW (322,937m) SEC 7-T88N-R35W NE COR, NW  $^{1}$ / $_{4}$  SEC 7-T88N-R35W (fd  $^{3}$ / $_{4}^{\prime\prime}$  pipe w/alum IDOT disk in place of fd  $^{5}$ / $_{8}^{\prime\prime}$  rebar.) (314,733m) 50.000m FRACTI 60.000m Wila. NO1\*11'33"E, 1059.50' LINE, NW FRACT'L 14 S01°08'32"W, 1032.59' L.STA 306+00.000 62.000m//// M.L.STA 308+00.000. 501.08,32 z en WEST N88°17′05″W 656.20′ (200.01 S86° (166.082m) (200.010m) S88°51′28″E PRIMARY ROAD NO US20 N01°11'33"E 1560.95' (475.777m) 1/16TH LINE SEIA AWIA TOTAL LAND ACQUISITION AREA BREAKDOWN:

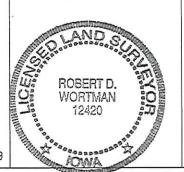
NW FRACT'L 1/4 NW 1/4 23.41 ACRES INCL OF

NE 1/4 NW 1/4 5.05 ACRES INCL OF

TOTAL 28.46 ACRES INCL OF 1.69 ACRES EX/ROW 0.16 ACRE EX/ROW 1.85 ACRES EX/ROW SW COR, NW  $^{1}$ / $_{4}$  SEC 7-T88N-R35W (fd  $^{3}$ / $_{4}$ " pipe w/alum IDOT disk over top of 2 fd  $^{5}$ / $_{8}$ "·rebars)



LEGEND: 1 Meter (m) = 3.280833 feet. (m) indicates a measurement in meters. Metric stationing based on the one hundred meter station (Sta. = 100m)



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 Land Surveyor under the laws of the State of Iowa.

Robert D. Wortman	10-27-2009
Robert D. Wortman License No. 12420	Date

My license renewal date is December 31. 2009

Pages or sheets covered by this seal: \_\_\_\_\_THIS SHEET ONLY \_\_\_\_

DATE DRAWN \_\_ALR 10/26/2009