The STATE OF IOWA, pursuant to Iowa Code section 308.45, subject to conditions listed in this easement, hereby conveys a permanent easement for levee construction and maintenance to the City of Council Bluffs, Iowa, and their heirs, assigns, and successors in interest in real estate in Pottawattamie County, Iowa, described as:


COMMENCING AT THE SOUTHEAST CORNER OF LOT 34 IN SAID AUDITOR’S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, SAID SOUTHEAST CORNER BEING ON THE WEST RIGHT-OF-WAY LINE OF NORTH 35TH STREET, THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, NORTH 01 DEGREES 41 MINUTES 41 SECONDS EAST, 696.06 FEET TO THE TRUE POINT OF BEGINNING, THENCE SOUTH 70 DEGREES 25 MINUTES 19 SECONDS WEST, 428.71 FEET;

LEGAL DESCRIPTION CONTINUED ON PAGE 2

CONDITIONS: Consideration for the grant of this easement pursuant to Iowa Code section 308.45 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 308.45, 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, 2015.

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 19 in the State Land Office.

Paul D. Pate, Iowa Secretary of State
LEGAL DESCRIPTION CONTINUED FROM PAGE 1

THENCE SOUTH 75 DEGREES 21 MINUTES 24 SECONDS WEST, 122.08 FEET; THENCE SOUTH 75 DEGREES 37 MINUTES 41 SECONDS WEST, 90.60 FEET; THENCE SOUTH 77 DEGREES 31 MINUTES 33 SECONDS WEST, 37.30 FEET; THENCE SOUTH 62 DEGREES 00 MINUTES 58 SECONDS WEST, 51.28 FEET; THENCE SOUTH 83 DEGREES 53 MINUTES 03 SECONDS WEST, 92.58 FEET; THENCE SOUTH 79 DEGREES 46 MINUTES 18 SECONDS WEST, 170.21 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1; THENCE ALONG SAID WEST LINE AND ALONG IT’S NORTHERLY PROLONATION, NORTH 01 DEGREE 28 MINUTES 22 SECONDS EAST, 65.48 FEET TO A POINT ON THE EXISTING CENTERLINE OF THE MISSOURI RIVER LEVEE; THENCE ALONG SAID CENTERLINE THE FOLLOWING FIVE (5) COURSES: 1) NORTH 74 DEGREES 25 MINUTES 30 SECONDS EAST, 367.76 FEET; 2) NORTH 66 DEGREES 32 MINUTES 13 SECONDS EAST, 80.80 FEET; 3) SOUTH 89 DEGREES 32 MINUTES 19 SECONDS EAST, 89.39 FEET; 4) NORTH 81 DEGREES 30 MINUTES 36 SECONDS EAST, 601.99 FEET; 5) NORTH 75 DEGREES 25 MINUTES 45 SECONDS EAST, 27.19 FEET TO A POINT ON THE NORTHERLY PROLONATION OF THE EAST RIGHT-OF-WAY LINE OF NORTH 39th STREET, THENCE ALONG SAID NORTHERLY PROLONATION, SOUTH 01 DEGREE 22 MINUTES 22 SECONDS WEST, 18.16 FEET TO THE NORTHWEST CORNER OF SAID LOT 5; THENCE ALONG THE NORTH LINE OF SAID LOTS 5 AND 4, NORTH 83 DEGREES 04 MINUTES 29 SECONDS EAST, 164.28 FEET TO THE NORTHEAST CORNER OF SAID LOT 4; THENCE ALONG THE EAST LINE OF SAID LOT 4, SOUTH 01 DEGREE 22 MINUTES 22 SECONDS WEST, 20.00 FEET; THENCE NORTH 75 DEGREES 53 MINUTES 06 SECONDS EAST, 135.27 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2; THENCE ALONG SAID EAST LINE, SOUTH 01 DEGREE 37 MINUTES 00 SECONDS WEST, 15.55 FEET; THENCE NORTH 70 DEGREES 25 MINUTES 28 SECONDS EAST, 428.87 FEET TO A POINT ON THE EAST LINE OF SAID LOT 34; THENCE ALONG SAID EAST LINE, SOUTH 01 DEGREE 41 MINUTES 41 SECONDS WEST, 12.61 FEET TO THE TRUE POINT OF BEGINNING. SAID PARCEL CONTAINS AN AREA OF 2.83 ACRES, MORE OR LESS.
LEGAL DESCRIPTION


COMMENCING AT THE SOUTHEAST CORNER OF LOT 35 IN SAID AUDITOR’S SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, SAID SOUTHEAST CORNER BEING ON THE WEST RIGHT-OF-WAY LINE OF NORTH 35th STREET;

THENCE ALONG SAID WEST RIGHT-OF-WAY LINE, NORTH 01 DEGREES 41 MINUTES 41 SECONDS EAST, 686.06 FEET TO THE TRUE POINT OF BEGINNING;

THENCE SOUTH 70 DEGREES 29 MINUTES 18 SECONDS WEST, 426.71 FEET;

THENCE SOUTH 75 DEGREES 21 MINUTES 24 SECONDS WEST, 122.08 FEET;

THENCE SOUTH 75 DEGREES 37 MINUTES 41 SECONDS WEST, 60.80 FEET;

THENCE SOUTH 77 DEGREES 31 MINUTES 33 SECONDS WEST, 37.70 FEET;

THENCE SOUTH 82 DEGREES 00 MINUTES 58 SECONDS WEST, 51.26 FEET;

THENCE SOUTH 83 DEGREES 53 MINUTES 03 SECONDS WEST, 92.38 FEET;

THENCE SOUTH 78 DEGREES 48 MINUTES 18 SECONDS WEST, 1105.21 FEET TO A POINT ON THE WEST LINE OF SAID LOT 1;

THENCE ALONG SAID WEST LINE AND ALONG ITS NORTHERLY PROLONATION, NORTH 01 DEGREE 28 MINUTES 22 SECONDS EAST, 83.48 FEET TO A POINT ON THE EXISTING CENTERLINE OF THE MISSOURI RIVER LEVEE;

THENCE ALONG SAID CENTERLINE THE FOLLOWING FIVE (5) COURSES:
1) NORTH 74 DEGREES 25 MINUTES 30 SECONDS EAST, 267.74 FEET;
2) NORTH 68 DEGREES 32 MINUTES 13 SECONDS EAST, 86.60 FEET;
3) SOUTH 89 DEGREES 32 MINUTES 19 SECONDS EAST, 89.39 FEET;
4) NORTH 81 DEGREES 50 MINUTES 36 SECONDS EAST, 601.69 FEET;
5) NORTH 78 DEGREES 25 MINUTES 46 SECONDS EAST, 27.19 FEET TO A POINT ON THE NORTHERLY PROLONATION OF THE EAST RIGHT-OF-WAY LINE OF NORTH 35th STREET;

THENCE ALONG SAID NORTHERLY PROLONATION, SOUTH 01 DEGREE 22 MINUTES 22 SECONDS WEST, 18.19 FEET TO THE NORTHWEST CORNER OF SAID LOT 5;

THENCE ALONG THE NORTH LINE OF SAID LOTS 5 AND 6, NORTH 80 DEGREES 04 MINUTES 28 SECONDS EAST, 164.28 FEET TO THE NORTHEAST CORNER OF SAID LOT 4;

THENCE ALONG THE EAST LINE OF SAID LOT 4, SOUTH 01 DEGREE 22 MINUTES 22 SECONDS WEST, 20.00 FEET;

THENCE NORTH 75 DEGREES 53 MINUTES 05 SECONDS EAST, 135.27 FEET TO A POINT ON THE EAST LINE OF SAID LOT 2;

THENCE ALONG SAID EAST LINE, SOUTH 01 DEGREE 37 MINUTES 00 SECONDS WEST, 15.35 FEET;

THENCE NORTH 70 DEGREES 25 MINUTES 26 SECONDS EAST, 426.87 FEET TO A POINT ON THE EAST LINE OF SAID LOT 34;

THENCE ALONG SAID EAST LINE, SOUTH 01 DEGREE 41 MINUTES 41 SECONDS WEST, 12.01 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS AN AREA OF 2.83 ACRES, MORE OR LESS.

NOTE: SEE SHEET 2 OF 2 FOR DRAWING EXHIBIT.

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 LEGALLY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

MELVIN C. SAMPLES
LICENSE NUMBER 17066
DATE MAY 6, 2014
MY LICENSE RENEWAL DATE IS DECEMBER 31, 2014.

POTTAWATTAMIE COUNTY
PROJECT NO. 150414-001