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._6067

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, Iowa, and more particularly described as follows:

A parcel of land located in SE¼SE¼ of Section 7, T72N, R43W of the 5th P.M., Mills County, Iowa, as shown on Plat of Survey, 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 SE¼SE¼ of said Section 7; thence N1°51'43"E 140.72 feet to the Point of Beginning; thence S86°13'10"W 110.47 feet; thence N22°43'35"W 84.55 feet; thence N0°03'34"W 991.03 feet; thence N22°49'16"E 84.23 feet; thence S89°20'37"E 148.24 feet; thence S1°51'43"W 1138.27 feet to the Point of Beginning, said parcel contains 4.19 acres.

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 lowa Department of Transportation** filed with the State Land Office as provided in *lowa Code* Section 9G.6. This conveyance is subject to the conditions imposed by *lowa 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 15 fbc. day of 1, 2016.

Terry E. Branstad, Governor of Iowa

Paul D. Pate, Iowa Secretary of State

I hereby certify that the foregoing Patent is recorded in Vol. $\frac{27}{100}$ Page $\frac{16}{100}$ in the State Land Office.

11/1/

Paul D. Pate, Iowa Secretary of State



IOWA DEPARTMENT OF TRANSPORTATION - PLAT OF SURVEY



COUNTY MILLS				STA	TE CONTROL NO	}_		
PROJECT NO. NHS	X-534-1(79	-534-1(79)3H-65			STATE CONTROL NO PARCEL NO		10	
SECTION7	·	TOWNSHIP	72	N	RANGE	43	W	
ROW - FEE	TO EDON OT	AC. EASE		AC.	- EXCESS FI	E	.19	AC
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NW CORNER							NE A	ODMED
SW' SE'	CORN	ER TO CORNER N89°	22′46″W 2647	·66′			SEI	ORNER Se ¹ /4
Sec. 7-72-43W FD. 5 ₈ " IRON PIN				PRE	SENT NORTHERLY	R.O.W.	Sec.	7-72-431
W/IOWA D.O.T. CAP #11953		STA. 5443+33.0		L	INE OF HAMMON	AVE.		IRON PII
A Z C HAM	MOND AVE.	\$	BRG. S89°20		- †	, <u> </u>		11953
PRESENT_ STA. 8444+50.00 \$ 55.	SOUTHERLY 00'	R.O.W. \$89°20'3	[] [] [] [] [] [] [] [] [] []	NE DF A. 5442+78	HAMMOND ↓	20' AVE	-, 1	Ī
-	16"E 84.23'	148.24		TA. 8445+9		'		
STA. 5442+0	0.00 ¢ 55.00′\			¢ 55.00	<u>10-24</u>			
21/4 CORNER	2. 2.	MO-03'34"W 991.03'	E. S. W	SEC.7	$3^{1}/4SE^{1}/4$ $3^{1}/4SE^$	50' E ON 7	SI'ST' 43"W 1318.76"	
Sec. 7-72-43W FD. 58" IRON PIN STA.	5431+31.45 ¢ 100		STA. 5		¢ 211.07'		E CORN	
W/IOWA D.D.T. CAP #11953 240.00' LEFT	1	10"W 110.47"	N1*51'43'			FD.	. 7-72 5 ₈ " IRC	N PIN
DF STA. 409+59-10 COF	NWER TO CORNER		<u>:</u> :		190TH STREE	#1195	3 15 6 .2	T. CAP 24' LEFT
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				5429+99-30			Į	
P.C. STA. 417+86.20			Ē	208.11'			<u> </u>	
					11.5	34	[AM]	NL INE)
	PRIMARY	ROAD		NO	u.s.		! :	
STA. 427+80	.00(U.S. 34)						!	
STA. 5427+8	0.00(190TH ST.)			-	ROAD No. U.S. TA. 430+05.73	34	•	•
William Park	was prepared by	y that this land surveyi ne or under my direct s	unervision and I	Λ = 8-	12'22.97" (LT)		
PROFESSIONAL AND	that I am a dui	y licensed Professional of the State of lows.	Land Surveyor	L = 24	219.53' 134.88'			
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15482			uto ·			• 5%" REBAR		15482
TOWN TOWN	License number					O CALCULATI		ļ
Monney		al date is December 31, 2	 015			△ SET SECTI		
		2 2232000 017 6			1	- COUNT JEU	אטט אטניי	RC-FA



Date 12/28/2009 Time 1:08 PM Rec:Amt \$29.00 Aud Amt \$5.00 Rev Transfer Tax \$515.20 Rev Stamp# 118

indx //

VICKI McCLINTIC, COUNTY RECORDER MILLS IOWA



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

ASE
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 5th 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:

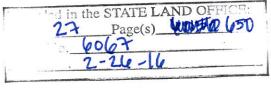
Commencing at the SE Corner of said Section 7, thence N89°21'29"W 606.64 feet along the south line of the SE ¼ SE ¼ of said Section 7 to the Point of Beginning; thence continuing N89°21'29"W 138.11 feet along said south line; thence N0°03'34"W 1200.82 feet; thence N22°49'16"E 84.23 feet; thence S89°20'37"E 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, 190th 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)



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 12.4.09	_, 20 <u>09</u> . (SIGN IN INK)
	3 2
Michael D. Schmiesing	Connie Schmiesing
	i
STATE OF LOWA COUNTY OF	Mills, ss:
On this 4 day of DECE mber	A.D. 2009, before me, the undersigned, a
Notary Public in and for said State, personally appeared, M	fichael D. Schmiesing and Connie Schmiesing,
to me known to be the identical person(s) named in and wh	o executed the foregoing instrument, and
acknowledged that (he) (she) (they) executed the same as (
(NOTARIAL SEAL) JANET HALL Commission Number 110583 MY COMMISSION EXPIRES Notary Pub	ANSI HAII Slic in and for said State of Towa

Mills County Project No. NHSX-534-1(79)—3H-65 Michael D. and Connie Schmiesing (Parcel 10) 1 in the STATE LAND OFFICE.

Page(s) 6067

2-24-14



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



COUNTY			STATE CONTROL	NO		
PROJECT NO. NH:	SX-534-1(79)	3H-65	DADCEL NO	NO.	10	4
SECTION	7	TOWNSHIP 7	2 N RAI	VGF 4.5	3 W	
ROW - FEE	7.00	AC. FACE	10 5005	FACE		10
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ACQUIRED FROM	MICHAEL D. 1	TO STA	MIESING	LINE	S	IDE
	8		IFILE SHACE			
NW CORNER	18				-	
SWI'4 SEI'4	CORN	ER TO CORNER N89°22'46"W 2	2647 661		NE CORNER	}
ec. 7-72-43W		- 1103 EZ 40 II Z	2047.06	140	SEIN SEIN	
T ⁻⁵ /8" IRON PIN /IOWA D.O.T.	€ 2	CTI CILL LL	PRESENT NORTHE	RLY R.O.W.	Sec. 7-72- SET 5/8″ IRON	
CAP #11953		STA. 5443+33.01(190TH) STA. 8443+63.22 (HAMMON	LINE OF HAMM		W/IOWA D.O.1	
	HAMMOND AVE	(⊈ BRG, 589	1.20,37,E) —	, J	CAP #11953	
PRESEN STA.	SOUTHERLY 8444+50.00 (55.00'	0.0.11	LINE DF HAMMOND STA: 5442+78:01	20' AVE.		
	N22°49'16"E 84.23"	148.24	SIA. 5442+78.01	. 1	7 -	
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cl conven			# H	1		
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/10WA D.O.T. CAP	8 B		n e		7-72-43W	
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	CORNWER TO CORNER 89°21'29"E 2638.38'		¢ 208.11′ P.L. STA. 5429+	סר כד	5 156.24' LEF FA. 436+13.1	
5.	STA. 5429+99.27	N89°21'29"W	N89"21'29"W 606.64'-	39.25		
-	¢ 70.00'	138.11'				
-C- STA. 417+86.20	*			ì		
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1 E	PRIMARY	ROAD		1 ;		399
STA. 427+	-80.00(U.S. 534)		~			Φ
STA. 5427	'+80.00(190TH ST.)	, w w	PRIMARY ROAD No. U.	some man of the		Page
	I hereby certify that thi	s land surveying document was prepared	P.I. STA. 430+05.7			
Szamman P	by me and the related sur	vey work was performed by me or under I that I am a duly licensed Land	$\Delta = 8^{\circ}12'22.97''$ (T = 1219.53'	-17 · İ		2889
The some state of	Surveyor under the laws of	of the State of Towa.	L = 2434.88'	i		×
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Monaco .	My License Renewal date	is December 31, 2010	1	△ SET SECTION		1
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IOWA DEPARTMENT OF TRANSPORTATION ACQUISITION PLAT EXHIBIT "A"



PLAT 1 OF 2 COUNTY _ MILLS _ STATE CONTROL NO. NHSX-534-1(79)--3H-65 PROJECT NO. _ PARCEL NO. SECTION 10 7 TOWNSHIP 72 N *44.90 RANGE __ ROW - FEE _ 43 W AC, EASE_ AC, EXCESS - FEE. ACQUIRED ACCESS RIGHTS FROM STA AC, TO STA. MAIN LINE _ MICHAEL SIDE AND CONNIE SCHMIESING ACQUIRED FROM _ NWI-4 SWI-4 SEC. 7 FEE NEI-4 SWI-4 SEC. 7 FEE SWI-4 SWI-4 SEC. 7 FEE SEI-4 SWI-4 SEC. 7 FEE = 0.61 ACRE = 0.16 ACRE = 28.07 ACRES = 16.06 ACRES 653 TOTAL FEE = 44.90 ACRES 6067 2-40-16 W1/4 CORNER Sec. 7-72-43W FOUND NAIL CORNER 1298.35' SCALE (FEET) $NW^{1}/_{4}SW^{1}/_{4}$ 100' 200' 300' 400' NEI/4SWI/4 SEC.7-72-43W

NEW FEE = 0.18 ACRE
UNDERLYING FEE = 0.43 ACRE

* TOTAL FEE = 0.61 ACRE CORNER TO (N2°01'17"E SEC.7-72-43W

NEW FEE = 0.06 ACRE

UNDERLYING FEE = 0.10 ACRE

TOTAL FEE = 0.16 ACRE NORTHERLY R.O.W AVE CORNER TO CORNER HAMMOND S88°59'34"E 2652.60 NW CORNER NE CORNER SW'/4 SW'/4 Sec. 7-72-43W FOUND 5/8" IRON PIN SE'/4 SW'/4 Sec. 7-72-43W 388+25.29 1721.87' LINE OF H 0 399+59.89 1650.82' SET 5/8" IRON PIN W/IOWA D.O.T. 589"44'57"E 1136.83' CAP #11953 -S49. NO*15'03"E -HAMMOND AVE 1 1 20, 40, 402+50.00 Y R. 1360.00 SOUTHERLY F HAMMOND AVE CORNER TO CORNER NO°50'27"E 1334.32 1317.54' CORNER EXISTING FENCE LINE 1151.52 N1.27'34"E 1 PRESENT LINE OF ,99 180 SW1/4SW1/4 1095. 16"₩ SE1/4SW1/4 SEC.7-72-43W NEW FEE = 27.63 ACRES UNDERLYING FEE = 0.44 ACRE ш N1 . 42' SEC.7-72-43W 24 NEW FEE = 15.95 ACRES
UNDERLYING FEE = 0.11 ACRE
TOTAL FEE = 16.06 ACRES * TOTAL FEE = 28.07 ACRES SW CORNER Sec. 7-72-43 W SET ⁵/₈" IRON PIN W/IOWA D.O.T. CAP #11953 395.44 LEFT S'/4 CORNER Sec. 7-72-43W SET ⁵/8" IRON PIN W/IOWA D.O.T. CAP OF STA. 383+40.09 #11953 240.00 LEFT OF STA. 409+59.10 \$89°21'29"E 440.65" N89°21'29"W 1477.75" CORNER TO CORNER 589°21'29"E 2638.38' 4. 402+50.00 ⊈ 264.34′ 534 (MAINLINE) PRIMARY PRIMARY ROAD No. U.S. 534 (N86° 40' 03"E) STA. 400+00.00 P.C. P.I. STA. 406+43.41 $\Delta = 4^{\circ}20'05.74'' (RT)$ T = 643.41' L = 1286.20' E = 12.17'NEI/4NWI/4 SEC.18-72-43W $NW'/_4NW'/_4$ I hereby certify that this land surveying document was prepared -33 CENSTAND TO THE PROPERTY OF TH by me and the related survey work was performed by me or under SURVEYOR. SEC.18-72-43W my direct supervision and that I om a duly licensed Land Surveyor under the laws of the State of laws. LEGEND 10 VA 2-3-09 CALCULATED POINT NIKE J. JENSEN FOUND IRON PIN W/CAP 9380 SET ⁵6" IRON PIN W/CAP 11953 0 Date 11953 FOUND SECTION CORNER Pages covered by this seal. SET SECTION CORNER My License Renewal date is December 31, 2010

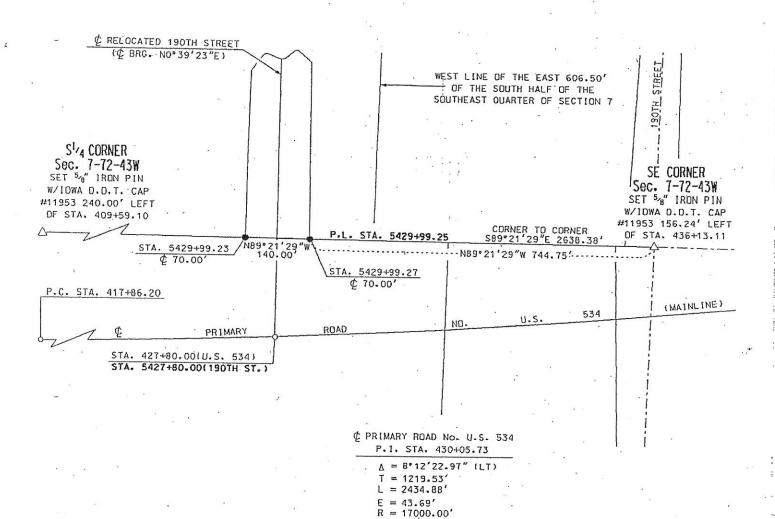
k 2009 Page 399



IOWA DEPARTMENT OF TRANSPORTATION. GRAPHIC EXHIBIT



COUNTY MILLS		(8)	*			VOAT	<u> </u>
PROJECT NO NHCY-534-1/201		STAT	STATE CONTROL NO		0		
SECTION	TOWNSHIP	72	N	RANGE	43	W	
HUW - FEE	AC. EASE		- AC.	FYCESS - EASE			AC
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ACQUIRED ACCESS RIGHTS FROM STA. ACQUIRED FROM	5427+80-00	TO CTA	5/20100 25		EAST	& WEST	_SIDE
ACCOUNTED THOM	HNIS CONNI	F 2CHW	HESING				





SCALE (FEET)
0' 50' 100' 150' 200'

LEGEND

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

27 Page(s) 654 2067 2-26-16