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 NDW Property Acquisitions, LLC, real estate in Plymouth County, Iowa, and more particularly described as follows:

A parcel of land located in a part of the SW ¼ of the NE ¼ of Section 27, T93N, R45W, of the 5th P.M., Plymouth County, Iowa, as shown on the Acquisition Plat Exhibit "A" attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the SW corner of the NE ¼ of said Section 27; thence S86°44'40"E, 78.26 feet along the south line of said NE ¼ to the Point of Beginning; thence continuing S86°44'40"E, 174.54 feet along said south line to a point on the existing north right of way line of Primary Road Iowa No. 80; thence running along said existing north right of way line for the following three courses, northeasterly 95.92 feet along the arc of a nontangential 3064.60 foot radius curve, concave southerly, having a chord bearing N88°44'14"E, 95.92 feet and being tangent to the following course; thence N89°38'02"E, 42.83 feet; thence northeasterly 579.48 feet along the arc of a 5620.57 foot radius curve, concave northerly, having a chord bearing N66°41'06"E, 579.21 feet and being tangent to the preceding course; thence N51°24'18"W, 320.17 feet; thence N70°12'14"W, 560.07 feet; thence S46°40'28"E, 716.77 feet to the Point of Beginning, containing 3.92 acres.

AND

A parcel of land, being a portion of a parcel of land conveyed to the Iowa State Highway Commission by a certain Warranty Deed, executed by A.L. Justman on June 1, 1932 and recorded in the Office of the Plymouth County Recorder in Book R at Page 383, located in a part of the Northwest ¼ of the Southeast ¼ of Section 27, Township 93 North, Range 45 West of the Fifth Principal Meridian, Plymouth County, Iowa, as shown on the PLAT OF SURVEY, attached hereto and by reference made a part hereof and more particularly described as follows:

(continued on next page)

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 15th day of September, 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 185 in the State Land Office.

Paul D. Pate, Iowa Secretary of State
Commencing at the Northwest Corner of the Southeast ¼ of said Section 27; thence South 86°44'40" East, 78.26 feet (23.853m) along the North line of said Southeast ¼ to the Point of Beginning; thence continuing South 86°44'40" East, 449.64 feet (137.081m) to a point on the existing Northerly right of way line of the Union Pacific Railroad; thence in a generally Southwesterly direction along said existing Northerly right of way line for the following 5 courses, 116.09 feet (35.384m) along the arc of a 5884.91 foot (1732.763m) radius curve, concave Northwest and having a chord bearing South 70°15'38" West, 116.09 feet (35.383m); thence South 70°50'44" West, 43.26 feet (13.186m); thence 66.23 feet (18.363m) along the arc of a 2941.04 foot (896.431m) radius curve, concave Southeast and having a chord bearing South 70°16'32" West, 66.23 feet (18.367m); thence South 20°19'58" East, 49.61 feet (15.122m); thence 363.00 feet (116.739m) along the arc of a 2891.65 foot (881.377m) radius curve, concave Southeast and having a chord bearing South 65°52'22" West, 362.72 feet (110.054m) to a point on the West line of the Southeast ¼ of said Section 27; thence North 02°12'26" East, 173.90 feet (52.948m) along said West line to a point on the existing Southeast right of way line of Primary Road IA 60; thence North 32°50'30" East, 153.52 feet (46.792m) along said existing Southeast right of way line to the Point of Beginning, containing 1.72 acres.

Direct access between the above described parcels of land and IA 60 will be allowed at Sla. 47 plus 75, east side, as described in the Access Rights Deed that was filed in Plymouth County by the Plymouth County Recorder on April 10, 2002 in File No. 2002, Card 2051 as shown by Document #2051.

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 posture 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(8).

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.
"CORRECTION OF PLAT OF SURVEY"

SHOWING A PARCEL OF LAND LOCATED IN A PART OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 27, TOWNSHIP 93 NORTH, RANGE 45 WEST OF THE FIFTH PRINCIPAL MERIDIAN, PLYMOUTH COUNTY, IOWA.


AUDITOR’S PARCEL "A"


*A CORRECTION TO PLAT OF SURVEY RECORDED IN THE OFFICE OF THE PLYMOUTH COUNTY RECORDER IN BOOK 2013 AT PAGE 608.

1. POINT OF BEGINNING
M.L.S. STA 48+49.708
Q 42,000m RT

2. NORTH LINE, SE 1/4
SEC 27-T93N-R45W
M.L.S. STA 48+34.032
Q 24,021m RT
(4d 1/2 rebar with plastic cap LSW 10318)

3. PARCEL 'A'
M.L.S. STA 48+03.893
Q 91,323m RT

4. NE COR, NW 1/4 SE 1/4
SEC 27-T93N-R45W
M.L.S. STA 47+64.662
Q 86,776m RT

5. SW COR, SE 1/4
SEC 27-T93N-R45W
M.L.S. STA 47+48.584
Q 86,534m RT

6. PARCEL 'A'
PART OF THE
NW 1/4 SE 1/4
SEC 27-T93N-R45W
(1.72 ACRES)

7. E OF RAILS AS CURRENTLY LOCATED

8. WEST LINE, SE 1/4
SEC 27-T93N-R45W
M.L.S. STA 47+07.360
Q 86,126m RT

9. EX/ROW

10. U.T.R.R.

0 100 200

SCALE IN FEET
1” = 200’

N

DATE DRAWN: ALR 12/27/2012
REVISED: ALR 01/26/2016

I hereby certify that this land surveying document was prepared and the related survey work was performed by me as 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. Worton

1-26-2016

Robert D. Worton License No. 10840

My license renewal date is December 31, 2013

Pages or sheets covered by this seal: 1 of 2 & 2 of 2

PAGE 1 of 2