

Prepared By/Return To:

Katie Johnson, Iowa Department of Transportation, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010 (515)239-1633

# State of Iowa

## OFFICE OF THE SECRETARY OF STATE STATE LAND OFFICE

Easement No. 6184E

The **STATE OF IOWA**, pursuant to Iowa Code Section 306.45, subject to conditions listed in this easement, hereby conveys a perpetual and assignable right and easement to construct, maintain, repair, operate, patrol and replace a flood protection levee, including all appurtenances thereto to the **City of Council Bluffs, Iowa**, and its heirs, assigns, and successors in interest in real estate in **Pottawattamie County, Iowa**, described as:

(See Page 2 for Legal Description)

The real estate described within this easement is a part of the State Highway System presently operated under the control and authority of the State of Iowa. The State of Iowa, their heirs and assigns, hereby reserve all such rights and privileges so that the land may be used for highway purposes without the easement granted in this document interfering with or abridging the rights of the State of Iowa to operate a highway within the State Highway System.

**CONDITIONS:** Consideration for the grant of this easement pursuant to Iowa Code section 306.45 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 306.45, 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 17<sup>th</sup> day of April, 2017.



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 234 in the State Land Office.

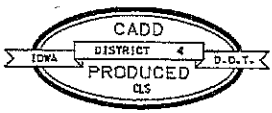


Paul D. Pate, Iowa Secretary of State

(Legal description for Patent of Easement to City of Council Bluffs, Iowa)

A parcel of land located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 7, T74N, R43W of the 5<sup>th</sup> P.M., City of Council Bluffs, Pottawattamie County, Iowa, as shown on Easement Plat Exhibit "A", attached hereto and by reference made a part hereof, said parcel is more particularly described as follows:

Commencing at the Center of said Section 7, thence S88°31'49"E 1147.80 feet along the north line of the NW $\frac{1}{4}$ SE $\frac{1}{4}$  of said Section 7; thence S1°28'13"W 308.65 feet to a point on the southwesterly right of way line of Wabash Trace Trail, the Point of Beginning; thence S47°45'11"E 68.05 feet along said southwesterly right of way line to a point on the present easterly right of way line of Mosquito Creek Drainage Ditch; thence S2°47'27"W 129.52 feet along said present easterly right of way line; thence S5°02'07"E 256.82 feet along said present easterly right of way line to a point on the present southeasterly right of way line of Primary Road No. IA 92 and U.S. 275; thence along present southerly right of way line for the following three(3) courses, S44°32'27"W 276.87 feet, S8°07'26"E 24.85 feet, S44°30'40"W 242.29 feet; thence N7°03'06"W 372.80 feet to a point on the present northwesterly right of way line of Primary Road No. IA 92 and U.S. 275; thence along present northwesterly right of way line for the following three (3) courses, N43°34'44"E 465.84 feet, N47°45'11"W 69.83 feet, N 44°35'38"E 100.08 feet to the Point of Beginning, said parcel contains 158,455 square feet or 3.64 acres.



IOWA DEPARTMENT OF TRANSPORTATION

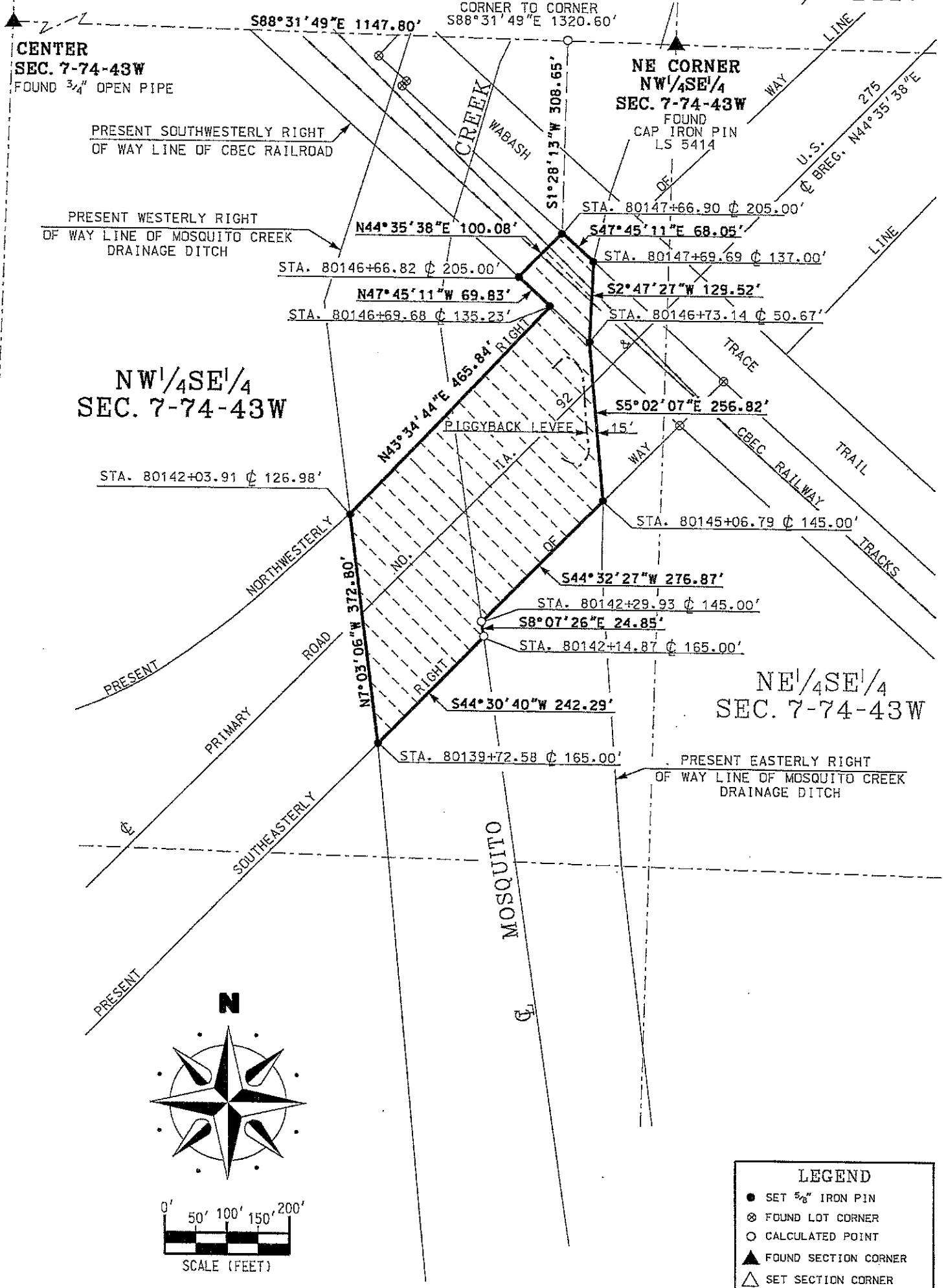


EASEMENT PLAT  
EXHIBIT "A"

COUNTY POTTAWATTAMIE STATE CONTROL NO. \_\_\_\_\_  
 PROJECT NO. IMN-29-3(65)54--0E-78 & I-IG-29-2(2)49--04-78 PARCEL NO. 346R, 1, 2  
 SECTION 7 TOWNSHIP 74N RANGE 43W  
 ROW - FEE \_\_\_\_\_ ACRES EASE. 3.64 AC, QUIT CLAIM \_\_\_\_\_ AC  
 ACQUIRED ACCESS RIGHTS FROM STA. \_\_\_\_\_ TO STA. \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE  
 ACQUIRED ACCESS RIGHTS FROM STA. \_\_\_\_\_ TO STA. \_\_\_\_\_ SIDE ROAD \_\_\_\_\_ SIDE  
 ACQUIRED FROM Various Owners

Easement To: City of Council Bluffs, Iowa

# CITY OF COUNCIL BLUFFS, IA.



LEGEND	
●	SET 5/8" IRON PIN
⊗	FOUND LOT CORNER
○	CALCULATED POINT
▲	FOUND SECTION CORNER
△	SET SECTION CORNER