

COMPARED

EA22

INST # 015595
RECORDING FEE 15.00
AUDITOR FEE 5.00
RMA FEE 1.00 ECOM 1.00

REAL ESTATE TRANSFER TAX PAID
STAMP# <u>2320</u>
RECORDER <u>997</u>
DATE <u>2-26</u> Pottawattamie COUNTY

FILED FOR RECORD
POTTAWATTAMIE CO. I.

2006 FEB -3 AM 10:56

JOHN SCIORLING
RECORDER



Prepared by & Return to: Sandy Jo Messingham, Office of Right of Way, Ames, Ia 50010
Phone 515-239-1345 or e-mail Sandyjo.Messingham@idot.iowa.gov
Address Tax Statements: Property Management Supervisor at above address

**WARRANTY DEED
(CORPORATE GRANTOR)**

For the consideration of Fourteen Thousand Six Hundred Forty and no/100-- (\$14,640.00)-- Dollars and other valuable consideration in hand paid by Iowa Department of Transportation, MAJE, INC. a corporation organized and existing under the laws of the State of Iowa, does hereby convey to the STATE OF IOWA real estate and right of access to real estate in Pottawattamie County, Iowa:

THE FEE SIMPLE TITLE GRANTED IS TO LAND DESCRIBED AS FOLLOWS:

A parcel of land located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T74N, R44W of the 5th P.M., City of Council Bluffs, Pottawattamie County, Iowa, as shown on acquisition Plat Exhibit "A" attached hereto and by reference made a part hereof. Said parcel being more particularly described as follows:

23.20

Commencing at the SE Corner of said Section 11; thence N2 $^{\circ}$ 07'08"E 389.42 feet along the east line of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 11; thence N87 $^{\circ}$ 52'54"W 33.01 feet to a point on the present westerly right of way line of 11th Street, the Point of Beginning; thence N31 $^{\circ}$ 57'57"W 58.61 feet; thence N86 $^{\circ}$ 56'35"W 180.00 feet; thence N83 $^{\circ}$ 51'00"W 60.09 feet to a point on the present southerly right of way line of Primary Road No. U.S. 275 and Primary Road No. IA. 92; thence S87 $^{\circ}$ 31'23"E 272.77 feet along said present southerly right of way line to a point on the present westerly right of way line of 11th Street; thence S2 $^{\circ}$ 07'06"W 54.01 feet along said present westerly right of way line to the Point of Beginning. Said parcel contains 1,952 Square feet.

THE FEE SIMPLE TITLE GRANTED IS TO ACCESS RIGHTS DESCRIBED AS FOLLOWS:

All rights of direct access between Primary Road No. U.S. 275 and Grantor's remaining property abutting thereon in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11, Township 74 North, Range 44 West, City of Council Bluffs, Pottawattamie County, Iowa, from Sta. 210+69.86 to Sta. 213+82.81, on the South side, no exceptions. Grantee hereby permits access at Sta. 210+68, on the South side.

AND

All rights of direct access between Local Road known as 11th Street and Grantor's remaining property abutting thereon in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11, Township 74 North, Range 44 West, City of Council Bluffs, Pottawattamie County, Iowa, from Sta. 9212+17.4 to Sta. 9214+03.45, on the West side.

This conveyance shall be binding on grantors, their heirs, successors, and assignees.

This deed is given in fulfillment of a certain real estate purchase agreement dated December 19, 2005, and recorded in the Pottawattamie County Recorder's Office on December 29, 2005, in Book 106, Page 13078, except those terms that survive the execution of this document.

The additional amount of \$7,360.00, as agreed to by purchase agreement, is paid as severance damages to the remaining property and is not subject to real estate transfer tax.

This land is being acquired for public purposes through eminent domain and a Declaration of Value is not required. Iowa Code Sec. 428A.1.

Subject to mortgage of record.

Entered for Taxation
Michael A. Drake FEB 3 2006
COUNTY AUDITOR

Pottawattamie County Project No. STPN-275-3(30)-2J-78
Maje, Inc. (Parcel No. 37)

BK 106 PG 15549

The corporation hereby covenants with grantees, and successors in interest, that it holds the real estate by title in fee simple; that it has 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 it covenants to warrant and defend the real estate against the lawful claims of all persons, except as may be above stated.

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 NOV 30, 2005. (SIGN IN INK)

MAJE, INC.

(corporate seal if applicable)

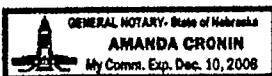
By: Dennis Huether
Dennis Huether, President

By: Glenda Huether
Glenda Huether, Secretary

STATE OF Nebraska, COUNTY OF Davies, ss:

On this 30 day of November 2005, A.D. 2005, before me, the undersigned, a Notary Public in and for said State, personally appeared Dennis Huether, Glenda Huether, to me personally known, who, being by me duly sworn, did say that they are the President and Secretary, respectively, of said corporation that (no seal has been procured by the said) (~~the seal affixed thereto is the seal of said~~) corporation; that said instrument was signed (~~and sealed~~) on behalf of said corporation by authority of its Board of Directors; and that the said President and Secretary, as such officers, acknowledged the execution of said instrument to be the voluntary act and deed of said corporation, by it and by them voluntarily executed.

(SEAL)



Amanda Cronin (Sign in Ink)

Amanda Cronin (Print/Type Name)
Notary Public in and for the State of Nebraska