

COMPARED

FILED FOR RECORD
POTTAWATTAMIE COUNTY

INST # 001639
RECORDING FEE 35.00
AUDITOR FEE 10.00
RMA FEE 1.00 ECOM 1.00

2006 JUL 27 AM 10:22

JOHN SCORPANO
RECORDER

QUITCLAIM DEED

(Recorder's Cover Sheet)

Entered for Taxation JUL 27 2006
Tracy M. Comstock, COUNTY AUDITOR

Preparer Information: Traci M. Comstock, Comstock Law Offices, P.C.
Iowa State Bar Association Number: 17263
22657 James Drive
Council Bluffs, IA 51503-5803
Tel. & FAX: 712-256-7150

Taxpayer Information: Robert C. Asmus
12936 Iazard Rd.
Omaha, NE 68154

Return Document to: Traci M. Comstock
22657 James Drive
Council Bluffs, IA 51503-5703

RETURN ENVELOPE

Grantor:

Robert C. Asmus

Grantee:

Robert C. Asmus

Legal Description: See page 2

Document or instrument number of previously recorded documents:

From Pottawattamie County Recorder/Register of Deeds:
Corporate Warranty Deed recorded on 12/31/1996 as Instrument No. 101063

-Exemption 21 Applies to this transaction-

BK107PG01634

COMPARED

QUITCLAIM DEED

For One Dollar (\$1.00) and other valuable consideration Robert C. Asmus, a married person, GRANTOR, does hereby grant, sell, convey and confirm unto Robert C. Asmus, a married person, referred to as GRANTEE, the following described real estate in Pottawattamie County, Iowa:

Parcel "A": A parcel of land located in part of the Northeast Quarter of the Northeast Quarter of Section 10, Township 74 North, Range 43 West of the Fifth Principal Meridian, Pottawattamie County, Iowa and more particularly described as follows: Commencing at the Northeast Corner of said Section 10; thence South 0°00'00" West, along the East line of said Northeast Quarter of the Northeast Quarter, a distance of 277.00 feet to a point on the Southerly right of way line of State Highway No. 92 and Point of Beginning; thence continuing South 0°00'00" West, along the East line of said Northeast Quarter of the Northeast Quarter, a distance of 1043.76 feet to the Southeast corner of said Northeast Quarter, of the Northeast Quarter; thence South 89°58'24" West, along the South line of said Northeast Quarter of the Northeast Quarter, a distance of 404.39 feet to a point on the Centerline of Canoe Lane; thence North 9°49'45" East, along the centerline of said Canoe Lane, a distance of 424.55 feet to the beginning of a tangent circular curve concave Southeasterly and having a central angle of 21°36'25" and a radius of 1273.24 feet; thence Northeasterly along the centerline of said Canoe Lane, and along a portion of said curve an arc length of 378.73 feet and having a chord bearing and distance of North 18°21'02" East, 377.33 feet to a point on the Southerly right of way line of said State Highway No. 92; thence South 89°55'08" East, along the Southerly right away line of said State Highway No. 92, a distance of 37.09 feet; thence North 33°20'32" East, along the Southerly right of way line of said State Highway No. 92, a distance of 320.26 feet to the Point of Beginning. Said parcel contains 6.397 acres, more or less. Said parcel is subject to an easement for Canoe Lane right of way, said easement contains 0.609 of an acre, more or less. Note: The East line of said Northeast Quarter of the Northeast Quarter is assumed to bear South 0°00'00" West for this description.


And

Parcel "A": A parcel of land located in part of the Northwest Quarter of the Northwest Quarter of Section 11, Township 74 North, Range 43 West of the Fifth Principal Meridian, Pottawattamie County, Iowa, more particularly described as follows: Commencing at the Northwest corner of said Section 11; thence South 0°00'00" West, along the West line of said Northwest Quarter of the Northwest Quarter, a distance of 277.00 feet to a point on the Southerly right of way line of State Highway No. 92 and Point of Beginning; thence continuing South 0°00'00" West, along the West line of said Northwest Quarter of the Northwest Quarter, a distance of 1043.76 feet to the Southwest corner of said Northwest Quarter of the Northwest Quarter; thence North 89°30'18" East, along the South line of said Northwest Quarter of the Northwest Quarter, a distance of 57.28 feet; thence North 0°00'00" East, and parallel with the West line of said Northwest Quarter of the Northwest Quarter, a distance of 1130.33 feet to a point on the Southerly right of way line of said State Highway No. 92; thence South 33°20'32" West, along the Southerly right of way line of said State Highway No. 92, a distance of 104.22 feet to the Point of Beginning. Said parcel contains 1.429 acres, more or less. Note: The West line of said Northwest Quarter of the Northwest Quarter is assumed to bear South 0°00'00" West for this description.

Together with all buildings, fixtures, improvements, tenements, hereditaments and appurtenances thereunto belonging unto Grantee and to Grantee's heirs and assigns forever, and subject to any covenants, easements, restrictions, general property taxes and liens of record, if any there so be. The common street address for such property is 14887 Canoe Lane, Council Bluffs, Iowa.

For zoning, subdivision, taxation and assessment purposes, the above-described properties shall be considered one parcel.

Dated: 06-19, 2006

GRANTOR

Robert C. Asmus

STATE OF IOWA)
County of Pottawattamie) ss.

This Instrument was acknowledged before me by Robert C. Asmus, on this 19th day of June 2006.

(Seal)


Notary Public, my commission expires on: 6/28/07



TOWNSHIP:	Lewis Township	SKP #	P-06-279 2006-44
SECTION:	10	APP #	A05537
RECEIPT #:	61452	AMOUNT	\$ 100.00

POTTAWATTAMIE COUNTY, IOWA, SKETCH PLAT APPLICATION

PROPERTY OWNER MAILING ADDRESS	Robert C Asmus 12936 Izard Rd, Omaha, NE 68154,		
SURVEYOR ADDRESS			
CONTACT PERSON	Robert C. Asmus	SUBDIVISION NAME	
STREET NAME(S)	14887 Canoe Ln	CIVIL TOWNSHIP	Lewis Township
CURRENT LEGAL DESCRIPTION	Property #1: 049016010015434000000	LEWIS TWP 10-74-43 NE NE	
	Property #2: 049016011015436000000	LEWIS TWP 11-74-43 NW NW EXC HWY	
LAND USE	Current	Ag/Residential	Proposed Ag/Residential
ZONING	Current	A-4	Proposed A-4
PROPOSED LEGAL DESCRIPTION	1. Parcel "A" NE1/4 NE1/4 10-74-43 and Parcel "A" NW1/4 NW1/4 11-74-43 2. NE1/4 NE1/4, except Parcel "A" 10-74-43 3. NW1/4 NW1/4, except Parcel "A" 11-74-43 <i>See Exhibit "A"</i>		
INFRASTRUCTURE	Water	<input checked="" type="checkbox"/> Private Water <input type="checkbox"/> Public/Common Water	
	Sewer	<input checked="" type="checkbox"/> Septic System <input type="checkbox"/> Municipal/Common	
ENTRANCE	<input checked="" type="radio"/> Existing Entrance <input type="radio"/> New Entrance onto State Highway proposed. See attached copy of approved Iowa Department of Transportation <input type="radio"/> New Entrance onto County Road proposed. See attached copy of approved Pottawattamie County Secondary Road <input type="radio"/> This application is for a major subdivision. No individual driveways are being proposed at this time.		

REQUIRED ATTACHMENTS

- A. Existing protective covenants or deed restrictions on the subject property.
- B. Existing and proposed easements affecting the subject property.
- C. Entrance Permit.
- D. Septic System Clearance.
- E. Filing fee—Make checks payable to "Pottawattamie County Treasurer"
- F. County Treasurer's Certification on taxes and special assessments
- G. Proposed deeds.
- H. Plat of Survey.

For Office Use
Required

Not Applicable

Received

<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

CERTIFICATION/SIGNATURE

I certify that all of the information and documentation presented with this application is true and correct to the best of my knowledge

All Property Owners must sign on lines below

Date:

[Signature]
Robert C. Asmus

06-19-06

DECISION

This sketch plat application has been reviewed and it has been determined that said application is for a:

PROPERTY SPLIT-ADJUSTMENT

Said application is hereby

☒ Approved

☐ Denied

Subject to Conditions, Restrictions & Instructions contained on Page 2 of this Application, and to the following:

- Applicant is responsible for contacting the City of Council Bluffs Planning Department to secure City approval of the requested division of land. City approval is required in addition to County approval. City Planning's telephone number is 712-328-4629.

[Signature]
Kay E. Mocha, County Planning Director

7-7-06
Date

THIS SKETCH PLAT APPLICATION MUST BE RECORDED WITH THE APPROPRIATE CONTRACT OR DEED ON OR BEFORE 7-7-07. AFTER SAID DATE THIS SKETCH APPLICATION APPROVAL IS VOID.

A PLAT OF SURVEY IS REQUIRED OF ALL PARCEL DESIGNATED ON THE ATTACHED MAP.

Approval by City of Council Bluffs, Iowa:

[Signature]

Donald Gross

7/12/06
Date

SKETCH PLAT APPLICATION CONDITIONS, RESTRICTIONS AND INSTRUCTIONS

PROPERTY LINE ADJUSTMENT

If **Approved**, subject to the following conditions. Approval of the sketch plat signifies that the proposed property line adjustment, as presented, complies with the County Zoning Ordinance and Subdivision Ordinance. You are hereby authorized to proceed with the preparation of the necessary instruments for conveyance of the subject parcel to the named adjoining property owner. **A plat of survey shall be prepared. One (1) copy of the plat of survey shall be filed with this Office. A copy of this decision shall be recorded simultaneously with the instrument filed with the County Recorder which transfers the ownership of said property being divided. A copy of said instrument shall be forwarded to the Office of Planning and Development prior to being recorded so that it can be insured that a deed restriction is included which directs the County Auditor to combine the portion of land described in the instrument with the adjoining tract or parcel to create a single parcel.**

If **Denied**, be advised that said denial may be appealed to the Planning and Zoning Commission. Applications for appeal are available through the Office of Planning and Development.

PROPERTY SPLIT

If **Approved**, subject to the following conditions. Approval of the sketch plat signifies that the proposed property split, as presented, complies with the County Zoning Ordinance and Subdivision Ordinance.

A plat of survey shall be prepared as follows:

- A. In the event a forty-acre aliquot part is proposed to be divided into two (2) parcels, it shall be required that only the parcel being conveyed have a plat of survey prepared of it. However, as allowed by Code of Iowa, Section 354.4, at the discretion of the County Auditor, an order may be given to require both parcels to have a plat of survey prepared of them. In the event only the parcel being conveyed has a plat of survey prepared, the decision on the sketch plat application shall be conditional upon no further divisions taking place in that forty-acre aliquot part until such time as all parcels in said forty-acre aliquot part have had a plat of survey prepared of them.
- B. In the event a forty-acre aliquot part is proposed to be divided into three (3) parcels simultaneously, it shall be required that all three (3) parcels in that forty-acre aliquot part have a plat of survey prepared of them.
- C. In the event a forty-acre aliquot part was divided into two (2) parcels prior to July 29, 1996 and it is proposed that one (1) of the two (2) parcels be divided into two (2) parcels, resulting in no more than three (3) parcels within the boundaries of the forty-acre aliquot part, only the two (2) new parcels shall be required to have a plat of survey prepared of them.
- D. In the event a forty-acre aliquot part was divided into two (2) parcels after July 29, 1996 and it is proposed that one of the two parcels be divided into two (2) parcels, neither parcel shall be able to be divided unless a plat of survey has been prepared of all parcels located in said forty-acre aliquot part.

One (1) copy of the plat of survey shall be filed with this Office. **A copy of this decision shall be recorded simultaneously with the instrument filed with the County Recorder which transfers the ownership of said property being divided.**

Section 8.004.040, Pottawattamie County, Iowa, Zoning Ordinance, states: LOT FRONTAGE REQUIRED: No lot shall contain any building used in whole or in part for residence purposes unless such lot abuts for at least twenty-five (25) feet on at least one (1) street, or unless it has an exclusive unobstructed private easement of access or right-of-way at least twenty-five (25) feet wide to a street; and there shall be not more than one (1) single-family dwelling for such frontage or easement, except that a common easement of access at least fifty (50) feet wide may be provided for no more than two (2) such single-family dwellings or for no more than one (1) two-family or multiple dwellings. The driveway surface shall be constructed within the boundaries of the frontage or easement. There shall be a minimum separation distance, along the street, of one hundred fifty (150) feet between such frontage or easement.

If **Denied**, be advised that said denial may be appealed to the Planning and Zoning Commission. Applications for appeal are available through the Office of Planning and Development.

MINOR/MAJOR SUBDIVISION

If **Approved**, subject to the following conditions. Approval of the sketch plat signifies that the proposed minor or major subdivision, as presented, complies with the County Zoning Ordinance and Subdivision Ordinance. You are hereby authorized to proceed with the preparation of a preliminary plat as described in the Subdivision Ordinance.

If **Denied**, be advised that said denial may be appealed to the Planning and Zoning Commission. Applications for appeal are available through the Office of Planning and Development.

MINIMUM LOT STANDARDS

The minimum lot standards and setbacks for the zoning district in which this property is located is as follows for a single-family dwelling. Contact the Planning Department for all other land uses and the minimum requirements. All standards shown are net values and do not include the right-of-way for roads.

Lot Area	Lot Width	Lot Depth	Front Street Yard	Interior Side Yard*	Rear Yard*	Street Side Yard
2.0 Acres Minimum***	175' Minimum	300' Minimum	75' from road right-of-way**	25'	50'	75' from road right-of-way**

*Rear Yard Setback for detached accessory buildings behind the single-family dwelling is 4'

*Side Yard Setback for detached accessory buildings behind the single-family dwelling is 4'

**Front and Street Yard Setback is 100' in the A-4 (Loess Hills) District.

***Minimum lot area in the A-4, R-1 and R-2 District is 1 acre if serviced by municipal or common water.

All lot lines, except the front lot line abutting a public or private road, shall be situated in such a manner that the minimum setbacks illustrated above are met.

The minimum lot area (size) shown is subject to the provisions of Section 8.004.030 **WATER SUPPLY, SEWAGE DISPOSAL AND SETBACKS:** Every residence, business, trade, or industry hereafter established, which requires water supply and sewage disposal facilities, shall provide facilities which conform with the requirements and standards of the appropriate State, County or local agency.

For the purpose of providing adequate sewage disposal in areas serviced by onsite wastewater treatment and disposal systems, soil characteristics shall be highly instrumental in determining lot area. The minimum lot area in the various districts shall be determined by the following factors:

POTTAWATTAMIE COUNTY, IOWA
COUNTY TREASURER'S CERTIFICATION

STATE OF IOWA)
) §
COUNTY OF POTTAWATTAMIE)

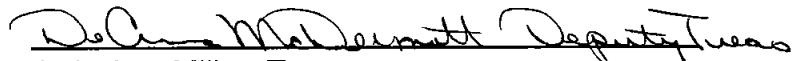
I, Judy Ann Miller, Treasurer of Pottawattamie County, Iowa, do hereby certify that the property included in the following described property is free from certified taxes and certified special assessments.

Property Owner: Robert C Asmus
 Robert C Asmus

Legal Description: LEWIS TWP 10-74-43 NE NE
 LEWIS TWP 11-74-43 NW NW EXC HWY

Parcel Number: 049016010015434000000
 049016011015436000000

Dated this 23rd day of June, 2006.

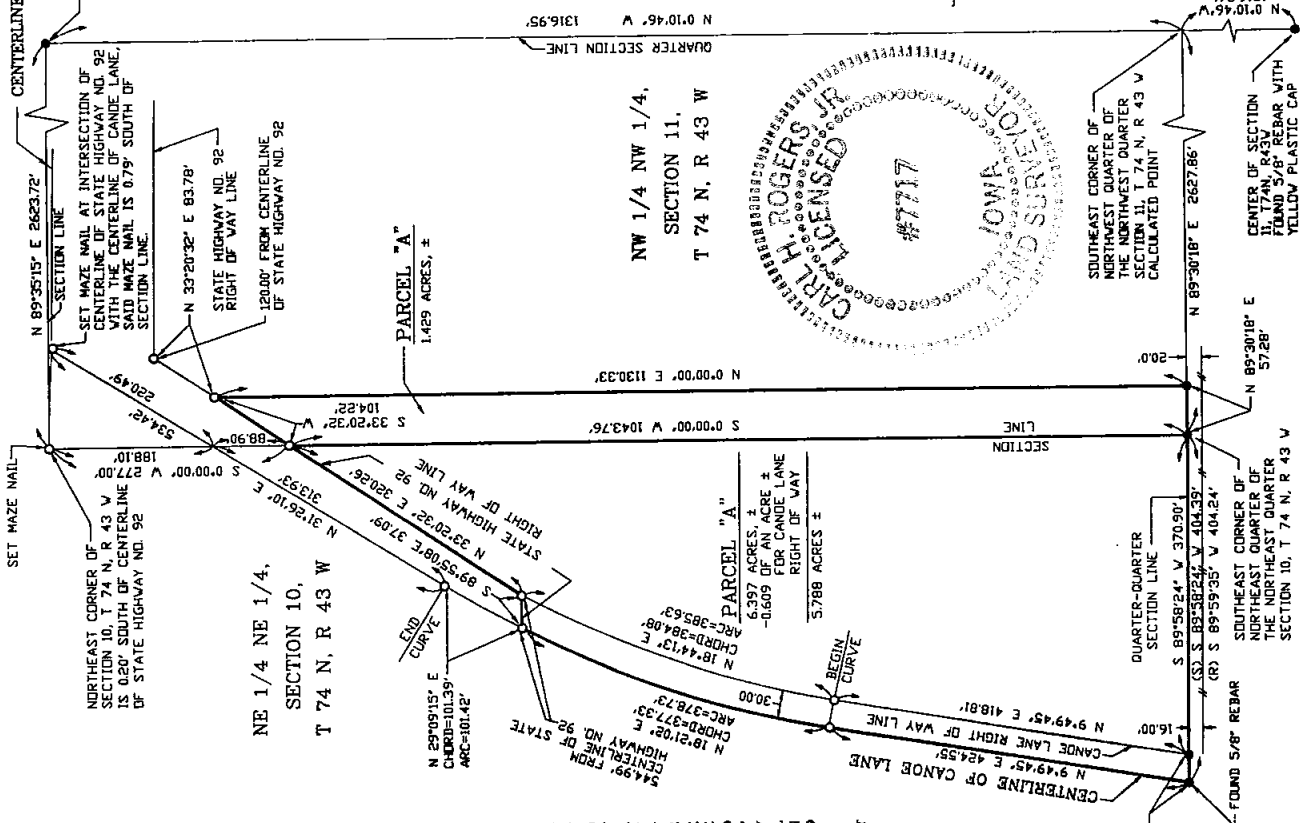

Judy Ann Miller, Treasurer
Pottawattamie County, Iowa

NOTE: THIS DOCUMENT HAS BEEN REDUCED.

PLAT OF SURVEY

OF A PARCEL OF LAND LOCATED IN PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, AND OF A PARCEL OF LAND LOCATED IN PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, ALL IN TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA.

CENTERLINE OF STATE HIGHWAY NO. 92



PREPARED BY: CARL H. ROGERS, JR. PHONE: (712) 366-9009
1688 ROLLING HILLS LOOP, COUNCIL BLUFFS, IOWA 51503

LEGAL DESCRIPTION: PARCEL "A"

A PARCEL OF LAND LOCATED IN PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 10; THENCE SOUTH 0°00'00" WEST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 27.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 92; AND POINT OF BEGINNING; THENCE CONTINUING SOUTH 0°00'00" WEST, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 104.76 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 89°52'43" WEST, ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 404.39 FEET TO A POINT ON THE CENTERLINE OF CANOE LANE; THENCE NORTH 9°49'45" EAST, ALONG THE CENTERLINE OF CANOE LANE, A DISTANCE OF 424.55 FEET TO THE BEGINNING OF A TANGENT CIRCULAR CURVE CONCAVE SOUTHEASTERLY AND HAVING A CENTRAL ANGLE OF 21°36'25" AND A RADIUS OF 173.24 FEET; THENCE NORTHEASTERLY ALONG THE CENTERLINE OF SAID CANOE LANE AND ALONG A PORTION OF SAID CURVE AN ARC LENGTH OF 374.73 FEET AND HAVING A CHORD BEARING AND DISTANCE OF NORTH 18°21'02" EAST, 377.23 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE HIGHWAY NO. 92; THENCE SOUTH 89°52'43" EAST, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE HIGHWAY NO. 92, A DISTANCE OF 37.00 FEET; THENCE NORTH 33°20'32" EAST, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE HIGHWAY NO. 92, A DISTANCE OF 302.26 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINS 6.397 ACRES, MORE OR LESS. SAID PARCEL IS SUBJECT TO AN EASEMENT FOR CANOE LANE RIGHT OF WAY, SAID EASEMENT CONTAINS 0.609 OF AN ACRE, MORE OR LESS.

NOTE: THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER IS ASSUMED TO BEAR SOUTH 0°00'00" WEST FOR THIS DESCRIPTION.

CENTERLINE CANOE LANE
CURVE DATA
CENTRAL ANGLE= 21°36'25"
DEGREE= 4°30'00"
RADIUS= 173.24'
TANGENT= 242.96'
ARC LENGTH= 480.15'

THE PARCEL DESIGNATIONS SHOWN ON THIS PLAT OF THE SURVEY WERE REVIEWED AND ACCEPTED BY THE POTTAWATTAMIE COUNTY, IOWA, AUDITOR'S OFFICE.

Sam Rogers 5-31-06
DATE

LEGAL DESCRIPTION: PARCEL "A"

A PARCEL OF LAND LOCATED IN PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 11; THENCE SOUTH 0°00'00" WEST, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 27.00 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF STATE HIGHWAY NO. 92; AND POINT OF BEGINNING; THENCE CONTINUING SOUTH 0°00'00" WEST, ALONG THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 104.76 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 89°30'18" EAST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 572.8 FEET; THENCE NORTH 0°00'00" EAST, AND PARALLEL WITH THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER, A DISTANCE OF 1130.33 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE HIGHWAY NO. 92; THENCE SOUTH 33°20'32" WEST, ALONG THE SOUTHERLY RIGHT OF WAY LINE OF SAID STATE HIGHWAY NO. 92, A DISTANCE OF 104.22 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1.429 ACRES, MORE OR LESS.

NOTE: THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER IS ASSUMED TO BEAR SOUTH 0°00'00" WEST FOR THIS DESCRIPTION.

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 DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

Carl H. Rogers, Jr. MAY 31, 2006
CARL H. ROGERS, JR. DATE

LICENSE NUMBER: 7717

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2006.

NUMBER OF SHEETS COVERED BY THIS SEAL: SHEET 1 OF 1

ROGERS SURVEYING	
1688 ROLLING HILLS LOOP COUNCIL BLUFFS, IOWA	
SCALE: 1" = 100'	PHONE: (712) 366-9009
DATE: 5-31-2006	DRAWN BY: S.R.R.
REVISIONS	
TITLE: PLAT OF SURVEY OF A PARCEL OF LAND LOCATED IN PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 10, AND OF A PARCEL OF LAND LOCATED IN PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 11, ALL IN TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE FIFTH PRINCIPAL MERIDIAN, POTTAWATTAMIE COUNTY, IOWA.	
CLIENT: ROBERT C. ASHUS	211 BAREFOOT BEACH BLVD BONITA SPRINGS, FLORIDA 34134

SHEET 1 OF 1