

2020-02044

RECORDED: 02/21/2020 08:44:04 AM

RECORDING FEE: 27.00

IOWA E-FILING FEE: 3.00

TOTAL FEE: 30.00

TRANSFER TAX: 0.00

MARK BRANDENBURG, RECORDER  
POTTAWATTAMIE COUNTY, IOWA



Prepared by & Return To: Allyssa Myers, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-239-1757

## QUITCLAIM DEED

For the consideration of **ZERO AND NO/100-----(\$0.00)-----DOLLARS** and other valuable considerations in hand paid by Iowa Department of Transportation, **COUNCIL BLUFFS APARTMENTS, LLC and RIVER PARK APARTMENTS, LLC**, do hereby quitclaim to the **STATE OF IOWA** all our right, title, estate, claim and demand in the following described real estate in Pottawattamie County, Iowa:

**THE RIGHTS, TITLE, CLAIM, INTEREST, IF ANY, GRANTED IS TO LAND DESCRIBED AS FOLLOWS:**

A parcel of land located in Parcel "A" and Parcel "C" of the NW1/4 NW1/4 Section 33, T75N, 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 is more particularly described as follows:

Commencing at the most Easterly Corner of Parcel "A" of the NW1/4 NW1/4 of Section 33, T75N, R44W of the 5th P.M., thence N84°28'37"W 29.59 feet along the northeasterly line of said Parcel "A" to the Point of Beginning; thence S72°27'21"W 180.66 feet; thence S57°40'32"W 192.06 feet; thence N22°36'48"W 131.31 feet to a point on the present southerly right of way line of Interstate Route No. 480; thence N67°14'31"E 153.50 feet along said present southerly right of way line; thence S84°30'13"E 244.62 feet along said present southerly right of way line to the Point of Beginning, said parcel contain 28,707 sq. ft. or 0.66 acres

That Grantors do hereby state as to the above described land only, that certain Recreational Facilities Joint Sharing Agreement ("Agreement") recorded on December 20, 2017, as Instrument No. 2017-16897 in the Pottawattamie County Recorder's Office, is hereby abandoned and do hereby disclaim any and all rights, title or interest in and to said Agreement or to the use thereof for any purposes whatsoever, in, to, on, over and across the above described real estate.

**NOTE: The abandonment of the Agreement is limited to the above described land, which is only part of the land that is subject to the Agreement. Except as provided herein above, the Agreement and all easements, covenants and conditions contained therein shall remain in full force and effect.**

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

Deeds with a consideration of \$500.00 or less are exempt from transfer tax. Iowa Code Sec. 428A.2(21).

Pottawattamie County Project No. IMN-029-3(168)53--0E-78  
Council Bluffs Apartments, LLC (Parcel No. 428)

Grantor hereby states that the person executing this instrument is duly authorized by the grantor and has the legal capacity to execute this instrument.

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 February 3, 2020

COUNCIL BLUFFS APARTMENTS, LLC

By: Howard M. Kooper (Sign in Ink)  
Howard M. Kooper, Managing Member

STATE OF Nebraska, COUNTY OF Douglas  
ss:

This instrument was acknowledged before me on February 3, 2020, by  
Howard M. Kooper as Managing Member of Council Bluffs Apartments, LLC.



Janet Pacula Roos (Sign in Ink)  
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

Dated February 3, 2020

RIVER PARK APARTMENTS, LLC

By: Howard M. Kooper (Sign in Ink)  
Howard M. Kooper, Manager

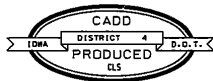
STATE OF Nebraska, COUNTY OF Douglas  
ss:

This instrument was acknowledged before me on February 3, 2020 by  
Howard M. Kooper as Manager of River Park Apartments, LLC.



Janet Pacula Roos (Sign in Ink)  
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

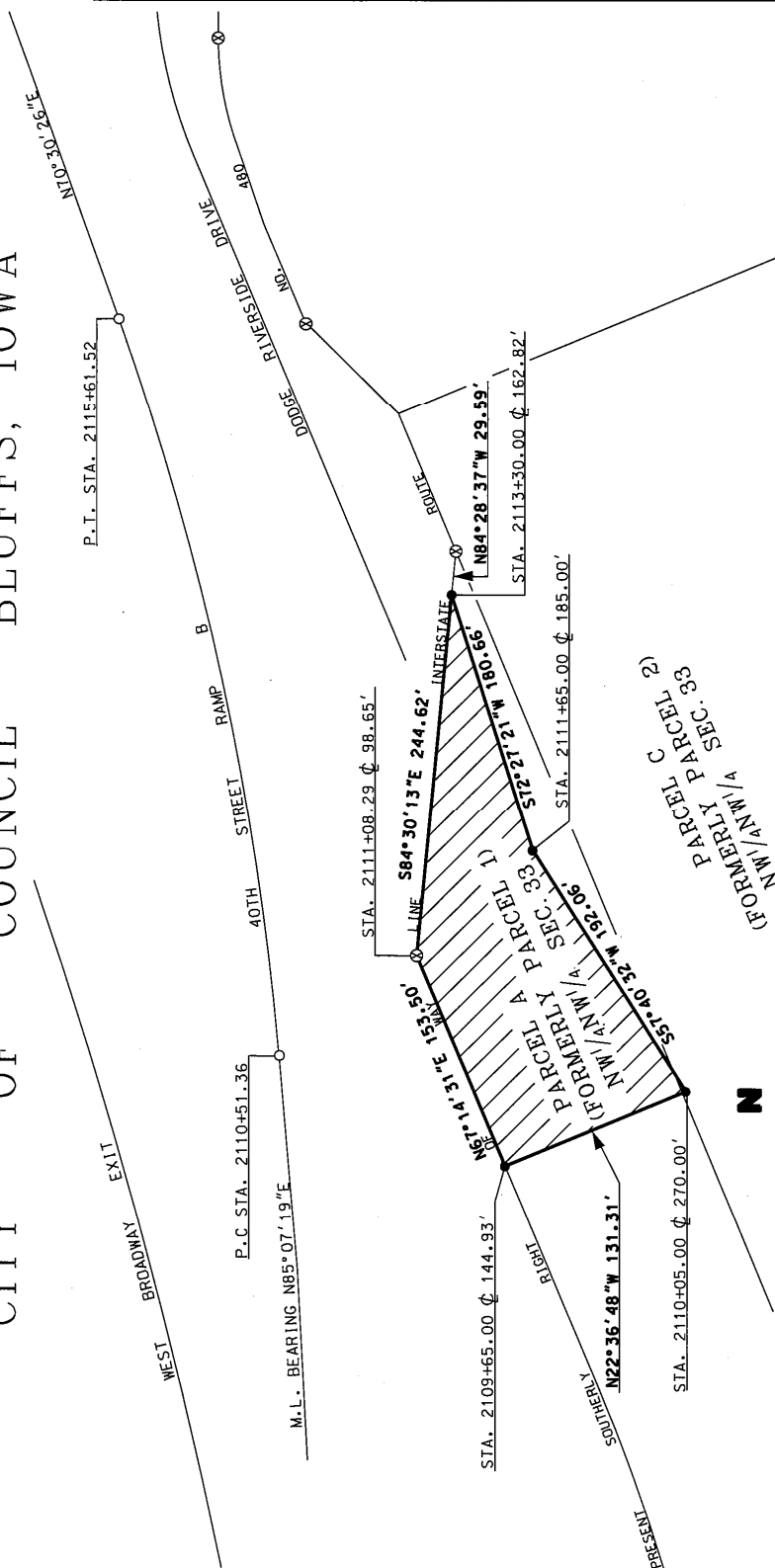


IOWA DEPARTMENT OF TRANSPORTATION  
ACQUISITION PLAT  
EXHIBIT "A"

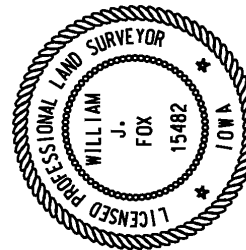


COUNTY POTTAWATTAMIE STATE CONTROL NO. \_\_\_\_\_  
PROJECT NO. IMN-029-3(168)53--OE-78 PARCEL NO. 428  
SECTION 33 TOWNSHIP 75N RANGE 44W  
ROW - FEE 28.707 SQ. FT. \_\_\_\_\_ ACRES. QUIT CLAIM \_\_\_\_\_ AC  
ACQUIRED ACCESS RIGHTS FROM STA. \_\_\_\_\_ TO STA. \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE \_\_\_\_\_  
ACQUIRED ACCESS RIGHTS FROM STA. \_\_\_\_\_ TO STA. \_\_\_\_\_ SIDE ROAD \_\_\_\_\_ SIDE \_\_\_\_\_  
ACQUIRED FROM \_\_\_\_\_  
CONVEY TO \_\_\_\_\_

CITY OF COUNCIL BLUFFS, IOWA



I hereby certify that this land surveying document was prepared by me and the related survey work was performed by me or under my direct supervision and that I am a duly licensed Professional Land Surveyor under the laws of the State of Iowa.  
*William J. Fox*  
WILLIAM J. FOX  
Date 1-4-18  
License number 15482  
Pages covered by this seal 1  
My License Renewal date is December 31, 2019



40TH STREET RAMP B  
P.L. STA. 2113+07.83  
A = 14°36'53" (L.T.)  
D = 2°51'53"  
T = 256.47'  
L = 510.15'  
R = 2,000.00'  
E = 16.38'



0' 25' 50' 75' 100'  
SCALE (FEET)  
1 INCH = 100 FEET

LEGEND	
●	SET 3/8" IRON PINW/CAP # 15482
⊗	FOUND LOT CORNER
○	CALCULATED POINT
▲	FOUND SECTION CORNER
△	SET SECTION CORNER
(R)	RECORD DISTANCE
(M)	MEASURE DISTANCE