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R 24
8-9-79

Land

Parcel No. 3
Relocated Primary Road No. 415

Polk County
Project No. FN-415-1(9)--21-77

6360
INSTR. NO. 6360
POLK COUNTY, IOWA
FILED FOR RECORD
AUG 08 1979 *30.00*
AT 8:30 A.M.
KATE SHRESTE INLSCHUH, Recorder
By *M. Spence* Deputy

REAL ESTATE CONTRACT
AND
INTERAGENCY TRANSFER OF JURISDICTION

Docket Item B 3
Page 1

Parcel No. 3
Relocated Primary Road No. 415

Polk County
Project No. FN-415-1(9)--21-77

REAL ESTATE CONTRACT
AND
INTERAGENCY TRANSFER OF JURISDICTION

This contract was entered into this 20th day of April, 1979, by and between the State Board of Regents, acting for the Iowa State University, hereinafter called the "Board" and the Iowa Department of Transportation, hereinafter called the "Department", and is duly authorized by Chapter 28E and Sections 306.3, 306A.5, and 306A.7 of the Code of Iowa, 1966.

Certain real property formerly known as Iowa State Research Farm, and owned by the State of Iowa in Sections 34 and 35, Township 80N, Range 24W of the 5th P.M., Polk County, State of Iowa, is presently under the jurisdiction and control of the Board.

The Department requires the use of portions of such lands for the improvement of a public highway. The descriptions and a plat of the land required for highway purposes are attached hereto labeled Sheets 1 of 6, 2 of 6, 3 of 6, 4 of 6, 5 of 6, and 6 of 6, and by reference made a part thereof.

The Board, by appropriate action, has agreed to relinquish its jurisdiction and control over the above-described real property and to transfer said jurisdiction and control to the Department for public highway purposes.

The Department, by appropriate action, has agreed to accept a transfer of exclusive jurisdiction and control over the above-described real property and to use the same for public highway purposes.

To this End:

1. The Board does hereby relinquish its jurisdiction and control over the property described above and does hereby transfer to the Department all of its possessory and other rights of beneficial use therein.
2. The Department agrees to pay to the Board the amount of \$66,179.00 from the Primary Road Fund for the above right of way.
3. The Department does hereby accept from the Board all of the Board's possessory and other rights of beneficial use therein and agrees to exercise such exclusive jurisdiction for public highway purposes.
4. On and after the due execution of this contract by the Board and by the Department and its filing required by Section 28E.8 of the Code of Iowa, 1966, as amended, the Department shall have and exercise, as long as authorized by law to do so, full, complete and exclusive jurisdiction over said real property.

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Parcel No. 3
Relocated Primary Road No. 415

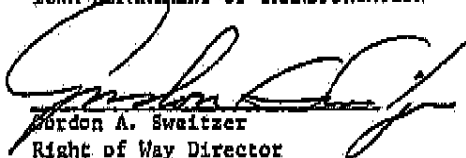
Yolk County
Project No. FN-415-1(9)--21-77

5. In accordance with Section 28E.7 of the Code of Iowa, 1966, this agreement does not relieve any of the parties hereto of any obligation or responsibility imposed upon it or them by law, except that to the extent of actual and timely performance thereof by any contracting party hereto, said performance may be offered in satisfaction of the obligation or responsibility.

6. The Department shall file a copy of this Contract with the Secretary of State and with the County Recorder promptly after its execution.

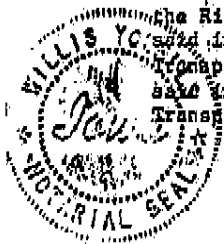
Dated and executed the day and year first above written.


STATE OF IOWA
IOWA DEPARTMENT OF TRANSPORTATION


Gordon A. Sweitzer
Right of Way Director

STATE OF IOWA)
) ss
COUNTY OF STORY)

On this 30th day of April, A.D. 1979, before me, the undersigned, a Notary Public in the State of Iowa, personally appeared Gordon A. Sweitzer to me personally known, who being by me duly sworn, did say that he is the Right of Way Director of said Iowa Department of Transportation, and that said instrument was signed and sealed on behalf of said Iowa Department of Transportation; and the said Gordon A. Sweitzer acknowledged the execution of said instrument to be the voluntary act and deed of said Iowa Department of Transportation by it voluntarily executed.




Notary Public in the State of
Iowa
Willis Youells

Parcel No. 3
Relocated Primary Road No. 415

Polk County
Project No. FN-415-1(9)--21-77

ATTEST:

STATE OF IOWA
BOARD OF REGENTS

R. Wayne Reck
Secretary

Mary Louise Peterson
President

STATE OF IOWA)
) ss
COUNTY OF POLK)

On this 21st day of May, A.D. 1977, before me, the undersigned, a Notary Public in the State of Iowa, personally appeared R. Wayne Reck and Mary Louise Peterson to me personally known, who being by me duly sworn, did say that they are the Secretary and President, respectively, of said Board of Regents, and that said instrument was signed and sealed on behalf of said Board of Regents and the said R. Wayne Reck and Mary Louise Peterson acknowledged the execution of said instrument to be the voluntary act and deed of said Board of Regents by it voluntarily executed.



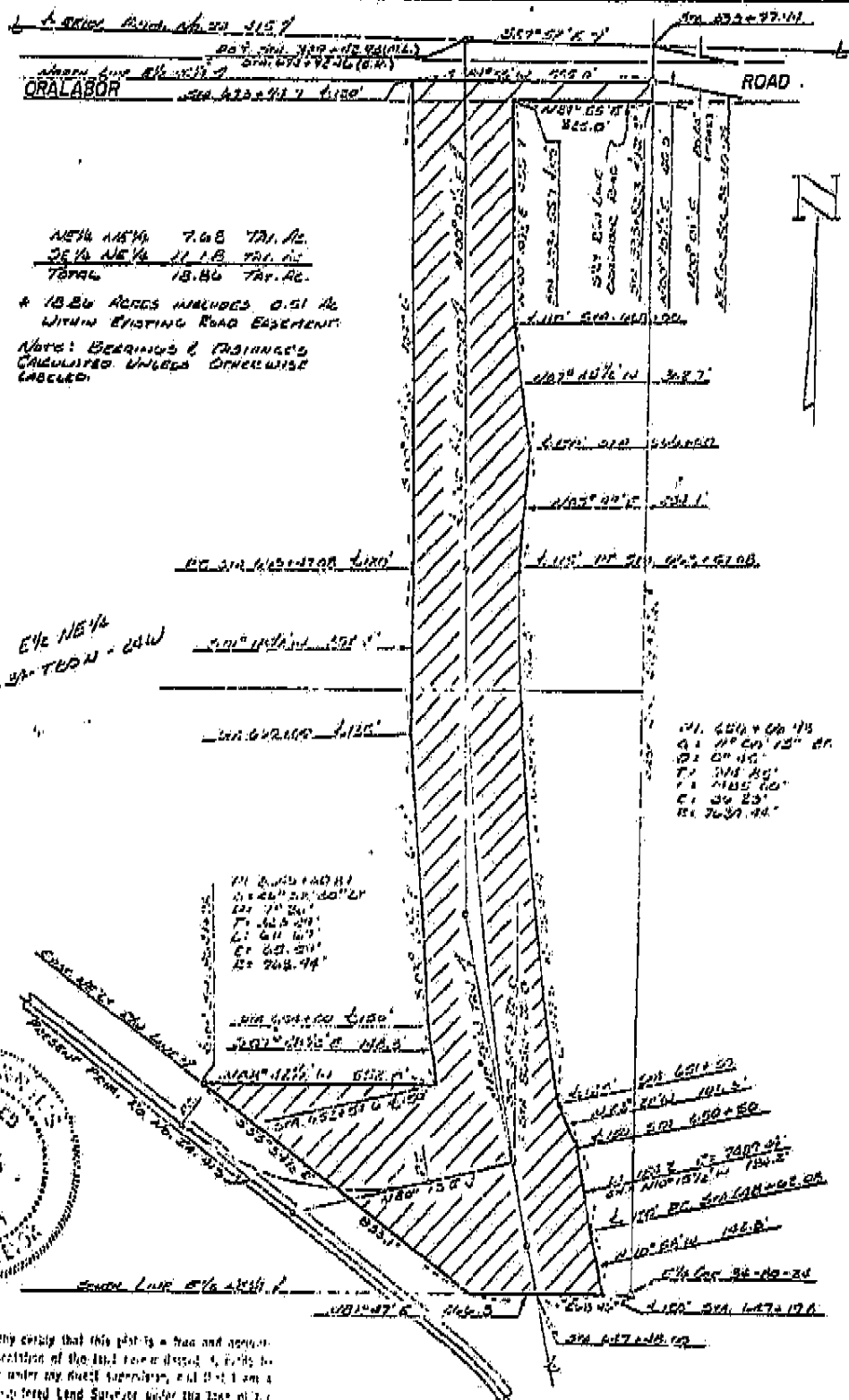
Karen Anderson
Notary Public in the State of Iowa

IOWA DEPARTMENT OF TRANSPORTATION SHEET 1 OF 6



RIGHT OF WAY PLAT
EXHIBIT "A"

COUNTY POLK STATE CONTROL NO. _____
 PROJECT NO. FN-415-1(9)--21-77 PARCEL NO. 3
 SECTION 34 TOWNSHIP Road RANGE 24W
 ROW - FEE 18.86 Ac AC, EASE _____ AC, EXCESS - FEE _____ AC
 ACQUIRED FROM _____



NET 1/4 NW 1/4 7.68 TAD. AC.
 SE 1/4 NE 1/4 11.18 TAD. AC.
 TOTAL 18.86 TAD. AC.

* 18.86 ACRES INCLUDES 0.51 AC
 WITHIN EXISTING ROAD EASEMENT

NOTE: BEARINGS & DISTANCES
 CALCULATED UNLESS OTHERWISE
 LABELED

EYE NE 1/4
 SEC. 34 T25N - 24W

1. 654.40 1/4
 2. 110.00 1/2
 3. 20.00
 4. 100.00
 5. 110.00
 6. 20.00
 7. 20.00



I hereby certify that this plat is a true and accurate
 representation of the land here depicted, to be
 filed under my direct supervision, and that I am a
 duly Licensed Land Surveyor under the laws of the
 State of Iowa.
Leon H. Corns Jan 30, 1979
 Leon H. Corns, Reg. L.S., No. 5635

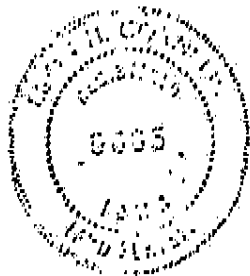
BOOK 4938 PAGE 989

*Dist 8
R-24
8-9-19*

R.O.W. DESCRIPTION

A parcel of land located in the NE $\frac{1}{4}$ of Section 34, T80N, R24W of the 5th P.M., POLK COUNTY, IOWA, as shown on right of way Plat Exhibit "A" attached hereto which by this reference is made a part hereof.

Beginning at the NE Corner of said Section 34, thence S89°55'W, 555.0 feet on the north line of said E $\frac{1}{2}$ SW $\frac{1}{4}$; thence S00°10 $\frac{1}{2}$ 'W, 1047.6 feet; thence S61°18 $\frac{1}{2}$ 'W, 353.2 feet; thence S03°16 $\frac{1}{2}$ 'E, 611.2 feet; thence S07°22 $\frac{1}{2}$ 'E, 148.3 feet; thence N83°42 $\frac{1}{2}$ 'W, 552.0 feet to the existing northeasterly right of way line of present Primary Road No. 1a, 415; thence S53°54 $\frac{1}{2}$ 'W, 832.1 feet on said right of way line to the south line of said E $\frac{1}{2}$ SW $\frac{1}{4}$; thence N89°47'E, 266.3 feet on said south line; thence N10°28'W, 142.3 feet; thence northerly 134.2 feet along a 7480.44 foot radius curve, concave easterly, the chord for which bears N16°15 $\frac{1}{2}$ 'W and has a length of 134.2 feet; thence N23°28'W 101.3 feet; thence northerly 1177.5 feet along a 7514.44 foot radius curve, concave easterly, the chord for which bears N04°19'W and has a length of 1176.3 feet; thence N05°49'E, 254.1 feet; thence N07°25 $\frac{1}{2}$ 'W, 302.7 feet; thence N00°10 $\frac{1}{2}$ 'E, 455.7 feet to the existing southerly right of way line of Coalbar Road; thence N39°55'E, 325.0 feet on said right of way line to the east line of said E $\frac{1}{2}$ SW $\frac{1}{4}$; thence N00°10 $\frac{1}{2}$ 'E, 40.0 feet on said east line to the Point of Beginning; containing 18.86 acres; of which 0.51 acre is within existing road right of way.



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

All rights of direct access between 2nd Avenue extended and the grantors' remaining property abutting thereon from Station 647+48.00 to Station 673+95.06 on both sides, reserving to the grantors rights of access at Station 650+20+ and at Station 662+50 on both sides, and at Station 329+42.93 (Relocated Primary Road No. 415), on both sides.

Form 884-077
1-79

IOWA DEPARTMENT OF TRANSPORTATION

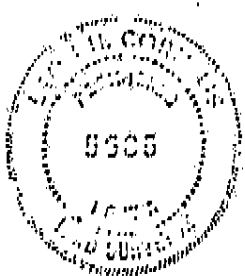
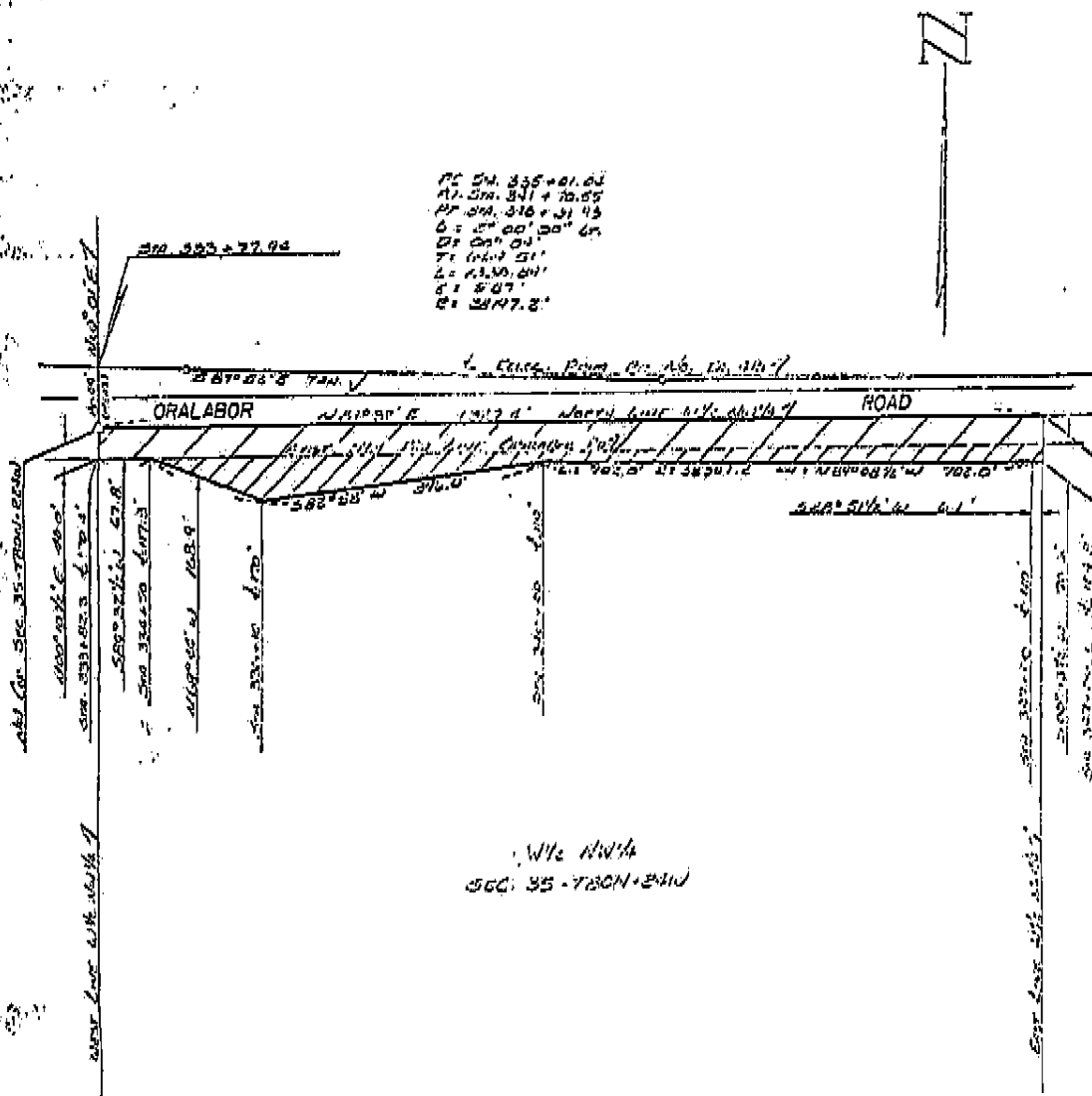
SHEET 3 OF 6



RIGHT OF WAY PLAT
EXHIBIT "B"

COUNTY POLK STATE CONTROL NO. _____
 PROJECT NO. FN-415-(9)--21-77 PARCEL NO. 3
 SECTION 35 TOWNSHIP 20N RANGE 20W
 ROW - FEE *2.05 AC, EASE _____ AC, EXCESS - FEE _____ AC
 ACQUIRED FROM _____

* 2.05 ACRES INCLUDES 1.12 ACRES 313 ERIKING ROAD EASEMENT.
 NOTE: BEARINGS & DISTANCES CALCULATED UNLESS OTHERWISE LABELED



I hereby certify that this plat is a true and accurate representation of the land herein described, made by me or under my direct supervision, and that I am a duly registered Land Surveyor under the laws of the State of Iowa.
 Leon H. Corroll
 Leon H. Corroll's Reg. No. 5305 Date 1/22/20

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DATE DRAWN 1-22-20 SCALE 1" = 200' FILMED

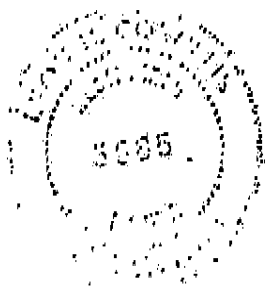
R
V
8

R 24
8-9-79

R.O.W. DESCRIPTION

A parcel of land located in the W 1/4 of Section 35, T80N, R24W of the 5th P.M., Polk County, Iowa, as shown on right of way plat Exhibit "B" attached hereto which by this reference is made a part hereof.

Beginning at the NW Corner of said Section 35; thence N89° 32'E, 1327.4 feet on the north line of said W 1/4 to the NE Corner thereof; thence S00°13 1/2' W 70.6 feet on the east line of said W 1/4; thence S88°51 1/2' W, 6.1 feet; thence westerly 702.0 feet along a 33307.2 foot radius curve, concave northerly, the chord for which bears N89°08 1/2' W and has a length of 702.0 feet; thence S72°38' W, 306.0 feet; thence N69°44' W, 108.9 feet to the existing westerly right of way line of Oradator Road; thence S59°33 1/2' W, 67.8 feet on said right of way line to the west line of said W 1/4; thence N00°10 1/2' E, 40.0 feet on said west line to the point of Beginning; containing 2.05 acres, of which 1.12 acre is within existing road right of way.



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

All rights of direct access between Relocated Primary Road No. 415 and the grantors' remaining property abutting thereon from Station 333+82.3 to Station 347+06.1 reserving to the grantors the right of access at Station 340+50, on the south side.

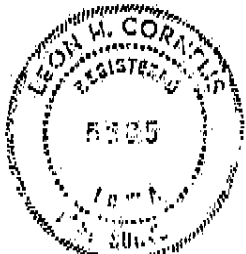
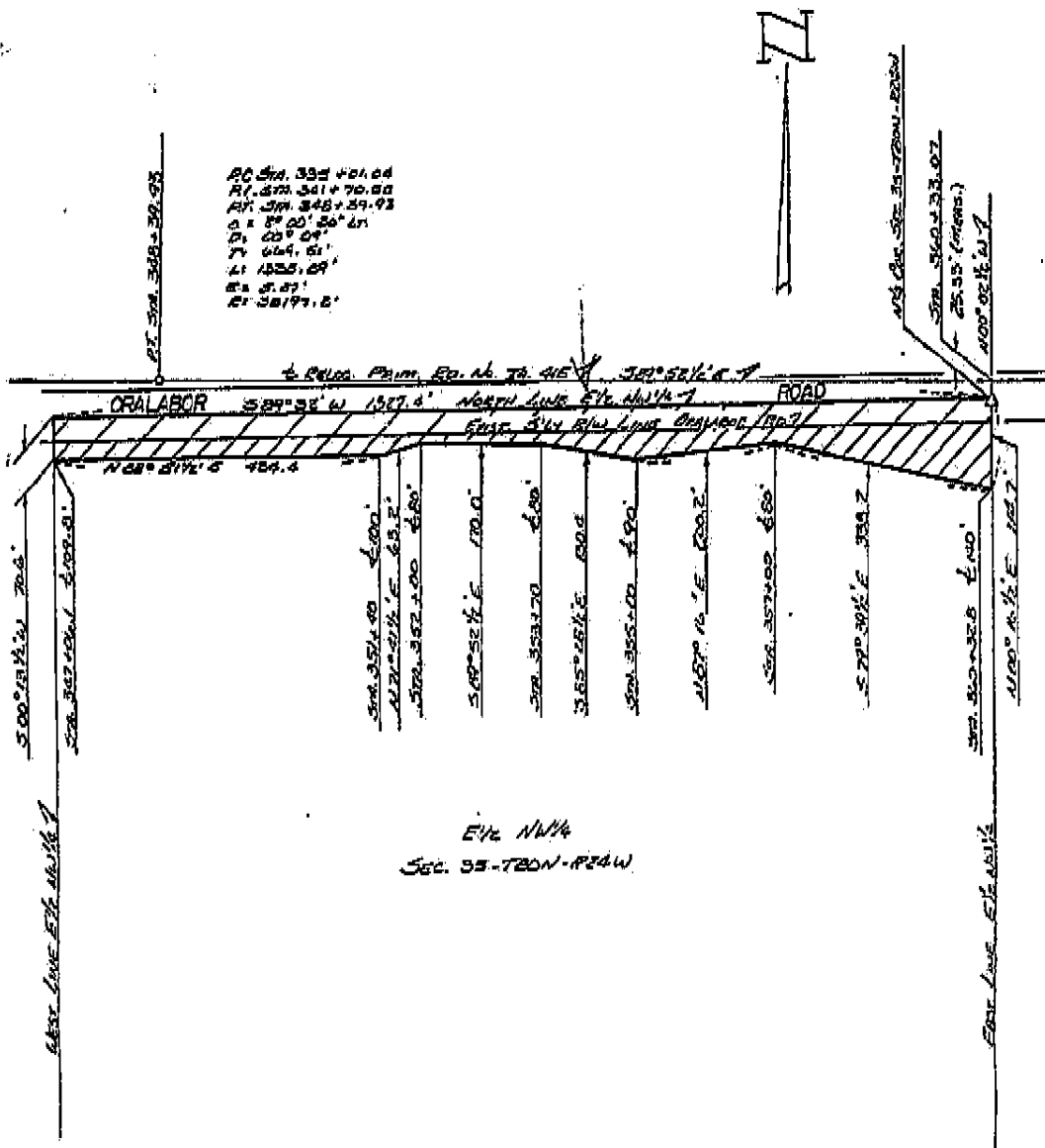
IOWA DEPARTMENT OF TRANSPORTATION



RIGHT OF WAY PLAT EXHIBIT "C"

COUNTY POLK STATE CONTROL NO. _____
 PROJECT NO. FN-415-(9)--21-77 PARCEL NO. 5
 SECTION 35 TOWNSHIP 40 N RANGE 24W
 ROW - FEE *1.99 AC, EASE _____ AC, EXCESS - FEE _____ AC
 ACQUIRED FROM _____

*1.99 ACRES INCLUDES 1.00 ACRES IN EXISTING ROAD EASEMENT
 NOTE: BEARINGS & DISTANCES CALCULATED UNLESS OTHERWISE LABELED.



I hereby certify that this plat is a true and accurate representation of the land herein described, made by me or under my direct supervision, and that I am a duly registered Land Surveyor under the laws of the State of Iowa.
 Leon H. Cornelius... Lic. 5335
 Leon H. Cornelius, Inc. Date
 DATE DRAWN 1-30-79 JEB

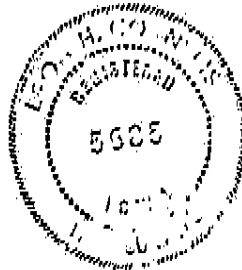
BOOK 4938 PAGE 993

R24
8-9-79

R.O.W. Description

A parcel of land located in the E½ NW¼ of Section 35, Township 80 North, R24W of the 5th P.M., Polk County, Iowa, as shown on right of way plat Exhibit "C" attached hereto which by this reference is made a part hereof.

Beginning at N¼ Corner of said Section 35; thence S89°32'W 1327.4 feet on the north line of said E½ NW¼ to the NW Corner thereof; thence S00°13½'W, 70.6 feet on the west line of said E½ NW¼; thence N88°51½'E, 434.4 feet; thence N71°41½'E, 63.2 feet; thence S89°52½'E 170.0 feet; thence S85°28½'E 130.4 feet; thence N87°16'E 200.2 feet; thence S79°39½'E 338.2 feet to the east line of said E½ NW¼; thence N00°16½'E, 114.7 feet on said east line to the Point of Beginning; containing 1.99 acres; of which 1.00 acre is within existing road right of way.



Rec. 2/20/79 ARL

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

All rights of direct access between Relocated Primary Road No. 415 and the grantors' remaining property abutting thereon from Station 347+06.1 to Station 360+32.8, reserving to the grantors the right of access at Station 354+00, on the south side.