

FINAL PLAT COLBY WOODS WEST PLAT No 6

FILED FOR PUBLIC RECORD
 COUNTY OF COLBY
 98 AUG 20 9 34 AM
 WENDEL GREEN
 RECORDER

INSTR # **018548**
 RECORDING FEE **25.00**
 AMOUNT FEE **25.00**

NOTICE TO THE PUBLIC: This plat is subject to all laws, ordinances, rules and regulations of the State of Iowa, and the County of Colby, Iowa, and to all laws, ordinances, rules and regulations of the City of Colby, Iowa, which may apply to the land shown hereon. The land shown hereon is subject to all laws, ordinances, rules and regulations of the State of Iowa, and the County of Colby, Iowa, and to all laws, ordinances, rules and regulations of the City of Colby, Iowa, which may apply to the land shown hereon. The land shown hereon is subject to all laws, ordinances, rules and regulations of the State of Iowa, and the County of Colby, Iowa, and to all laws, ordinances, rules and regulations of the City of Colby, Iowa, which may apply to the land shown hereon.

9888-7384

OWNER-DEVELOPER: COLBY UNIVERSITY
 8551 UNIVERSITY AVENUE
 COLBY, IOWA 50531
 PHONE 274-3411

ZONED: P.U.D.
 200' SETBACKS
 30' FRONT SETBACK
 30' SIDE SETBACK

I HEREBY CERTIFY THAT I HAVE SURVEYED FOR AND PREPARED THESE PLANS, THAT I AM A LICENSED SURVEYOR IN THE STATE OF IOWA, AND THAT I HAVE BEEN DULY REGISTERED AS SUCH IN THE STATE OF IOWA. I HAVE NOT BEEN DISQUALIFIED BY ANY COURT OF RECORD IN THE STATE OF IOWA FROM EXERCISING THE FUNCTIONS OF A SURVEYOR.

UTILITY SYMBOLS
 SANITARY SEWER
 STORM SEWER
 WATER MAIN
 TELEPHONE CABLE
 GAS MAIN
 POWER CABLE

DETAIL
 Storm Sewer Easement
 No. 100

Blair Engineering Company
 301 14th Street
 Des Moines, Iowa



COLBY WOODS WEST PLAT NO. 6
 FINAL PLAT

Book: 788 Page: 73 Sheet: 1
 8873006073

*He
Chg*

FILED FOR RECORD
POLK COUNTY, IOWA

98 AUG 20 A 8:44.5

RETURN TO:

TIMOTHY J. BRIEN

RECORDER

Prepared by: Jeremy C. Sharpe, 666 Walnut, 2000 Financial Center, Des Moines, IA 50309-3989, 515-243-7100

CERTIFICATE OF PROPRIETOR

STATE OF IOWA)
) SS
COUNTY OF POLK)

KNOW ALL MEN BY THESE PRESENTS:

The undersigned hereby states, acknowledges and certifies that Charles I. Colby, Jr., Clark A. Colby, R. Edith Claiborne and Carol L. Clarke, as Trustees of The Charles I. Colby and Ruth Colby Investment Trust, is the proprietor and record fee title owner of a portion of the real estate described in Exhibit "A" attached hereto, to become Colby Woods West Plat No. 6. The undersigned further acknowledges and certifies that the subdivision of said real estate is with the consent and in accordance with the desires of said owner.

Dated this 9th day of JUNE, 1998.

THE CHARLES I. COLBY
AND RUTH COLBY INVESTMENT TRUST

By *Charles I. Colby, Jr.*
Charles I. Colby, Jr., Trustee

By *Clark A. Colby*
Clark A. Colby, Trustee

By *R. Edith Claiborne*
R. Edith Claiborne, Trustee

By *Carol L. Clarke*
Carol L. Clarke, Trustee

BK7988PG074

STATE OF IOWA)
)SS
COUNTY OF POLK)

On this 9th day of June, 1998, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Charles I. Colby, Jr., Clark A. Colby, R. Edith Claiborne and Carol L. Clarke, to me known to be the identical persons named in and who executed the foregoing instrument and acknowledged that those persons as the fiduciaries, executed the instrument as the voluntary act and deed of the persons and of the fiduciaries.

Linda D. Clark
Notary Public in and for
Polk County, Iowa

d:\c0049\ct-proprietor.doc



BK7988PG075

COLBY WOODS WEST PLAT No. 6

PROPERTY DESCRIPTION:

Commencing at the West 1/4 Corner of Section 26, Township 79 North, Range 25 West of the 5th P.M., Urbandale, Polk County, Iowa; thence, N89°31'45"E along the South Line of the Northwest 1/4 of said Section 26, a distance of 50.00 feet to the East Right-of-Way Line of 86th Street as it is presently established; thence, N00°00'00"E along the East Right-of-Way Line of said 86th Street, a distance of 65.60 feet to the Northwest Corner of Colby Woods West Plat No. 4, an Official Plat, Urbandale, Polk County, Iowa and to the Point of Beginning; thence continuing N00°00'00"E along the East Right-of-Way Line of said 86th Street, a distance of 360.23 feet; thence, S60°-00'-00"E, a distance of 837.26 feet; thence, S39°55'30"E, a distance of 1112.21 feet; thence, S06°17'28"W, a distance of 466.83 feet to the most Northerly Corner of Cobblestone Plat No. 12, an Official Plat, Urbandale, Polk County, Iowa; thence, S60°01'36"W along the Northwesterly Line of said Cobblestone Plat No. 12 and along the Northwesterly Line of Cobblestone Plat No. 13, an Official Plat, Urbandale, Polk County, Iowa, a distance of 343.50 feet to the most Westerly Corner of said Cobblestone Plat No. 13, and to the easterly Line of Cobblestone Plat No. 18, an Official Plat, Urbandale, Polk County, Iowa; thence, N29°58'24"W along the Easterly Line of said Cobblestone Plat No. 18, a distance of 7.00 feet to the most Northerly Corner of said Cobblestone Plat No. 18; thence, S60°01'36"W along the Northerly Line of said Cobblestone Plat No. 18, a distance of 321.05 feet to the Northwest Corner of said Cobblestone Plat No. 18; thence, S00°02'45"W along the Westerly Line of said Cobblestone Plat No. 18, a distance of 63.91 feet; thence Southerly along a 219.95 feet radius curve to the left, a distance of 102.76 feet, said curve having a chord bearing of S13°20'17"E and a chord length of 101.83 feet; thence Southeasterly along a 220.00 feet radius curve to the left, a distance of 123.60 feet, said curve having a chord bearing of S42°49'02"E and a chord length of 121.98 feet; to the most Northerly Corner of Lot A in Colby Woods West Plat No. 3, an Official Plat, Urbandale Polk County, Iowa; thence, S31°05'15"W along the Westerly Line of Lot A in said Colby Woods West Plat No. 3, a distance of 60.00 feet to the Northerly Line of Lot 1 in said Colby Woods West Plat No. 3; thence Northwesterly along the Northerly Line of said Lot 1 and along a 280.00 feet radius curve to the right, a distance of 157.31 feet, said curve having a chord bearing of N42°49'02"W and a chord length of 155.25 feet to the most Northerly Corner of said Lot 1; thence, S00°02'45"W along the Westerly Line of said Lot 1, a distance of 0.93 feet to the Northeast Corner of Colby Woods West Plat No. 2, an Official Plat, Urbandale, Polk County, Iowa; thence, N88°54'45"W along the Northerly Line of said Colby Woods West Plat No. 2, a distance of 780.00 feet to the Easterly Right-of-Way Line of said 86th Street; thence, N00°02'45"E along the Easterly Right-of-Way Line of said 86th Street, a distance of 278.63 feet; thence, S89°57'15"E, a distance of 90.01 feet; thence, N00°02'45"E along a line parallel with and 90.01 feet east of the Easterly Right-of-Way Line of said 86th Street, a distance of 405.08 feet; thence Northeasterly along a 225.00 feet radius curve to the right, a distance of 304.16 feet, said curve having a chord bearing of N38°46'23"E and a chord length of 281.53 feet; thence, N77°30'00"E, a distance of 19.03 feet; thence Northeasterly along a 275.00 feet radius curve to the left, a distance of 287.98 feet, said curve having a chord bearing of N47°30'00"E and a chord length of 275.00 feet; thence, N17°30'00"E, a distance of 70.24 feet to the Southerly Line of said Colby Woods West Plat No. 4; thence Easterly along the Southerly Line of said Colby Woods West Plat No. 4 and along a 350.00 feet radius curve to the right, a distance of 11.63 feet, said curve having a chord bearing of S67°27'07"E and a chord length of 11.63 feet to the Southeast Corner of said Colby Woods West Plat No. 4; thence, N23°30'00"E along the Easterly Line of said Colby Woods West Plat No. 4, a distance of 80.00 feet; thence Northwesterly along the Easterly Line of said Colby Woods West Plat No. 4 and along a 430.00 feet radius curve to the left, a distance of 9.99 feet, said curve having a chord bearing of N67°09'57"W and a chord length of 9.99 feet; thence, N17°30'00"E along the Easterly Line of said Colby Woods West Plat No. 4, a distance of 58.94 feet; thence Northerly along the Easterly Line of said Colby Woods West Plat No. 4 and along a 296.57 feet radius curve to the left, a distance of 165.64 feet, said curve having a chord bearing of N01°30'00"E and a chord length of 163.49 feet; thence, N14°30'00"W along the Easterly Line of said Colby Woods West Plat No. 4, a distance of 34.89 feet; thence Northwesterly along the Northeasterly Line of said Colby Woods West Plat No. 4 and along a 352.39 feet radius curve to the left, a distance of 325.97 feet, said curve having a chord bearing of N41°00'00"W and a chord length of 314.47 feet; thence N67°30'00"W along the Northerly Line of said Colby Woods West Plat No. 4, a distance of 23.97 feet; thence Westerly along the Northerly Line of said Colby Woods West Plat No. 4 and along a 251.64 feet radius curve to the right, a distance of 98.82 feet, said curve having a chord bearing of N56°15'00"W and a chord length of 98.18 feet; thence, N45°00'00"W along the Northerly Line of said Colby Woods West Plat No. 4, a distance of 30.18 feet; thence Westerly along the Northerly Line of said Colby Woods West Plat No. 4 and along a 234.90 feet radius curve to the left, a distance of 184.49 feet, said curve having a chord bearing of N67°30'00"W and a chord length of 179.78 feet; thence, N90°00'00"W along the Northerly Line of said Colby Woods West Plat No. 4, a distance of 57.00 feet to the Point of Beginning.

Said tract of land being subject to and together with any and all easements of record.

Said tract of land contains 39.88 acres more or less. BK7988PG076



CITY OF URBANDALE

3315 70th Street
Box 3540
Urbandale, Iowa 50322-0540
Phone (515) 278-3900
FAX (515) 278-3905

FILED FOR RECORD
POLK COUNTY, IOWA

98 AUG 20 A 8:44.5

TIMOTHY J. BRIEN
RECORDER

May 6, 1998


Polk County Auditor
Polk County Administration Building
111 Court Avenue
Des Moines, Iowa 50309

Certification

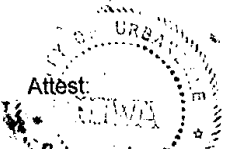
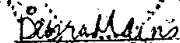
We, Brad Zaun, Mayor, and Debra Mains, City Clerk appointed for the City of Urbandale, Iowa, do hereby certify that the following is a true and accurate record from the City of Urbandale, Iowa, Council Minutes for May 5, 1998:

Kollmorgen moved, seconded by Brush to approve Resolution 70-98 Approving "Colby Woods West Plat No. 6" Final Plat (86th Street and New York Avenue), subject to recommendations of the Planning and Zoning Commission. On roll call, Ayes: Kollmorgen, Brush, Forst, Noah, Readinger. Nays: none. Motion carried.

A copy of the resolution is attached.



Brad Zaun, Mayor

Attest:



Debra Mains, City Clerk

BK7988PG077

RESOLUTION NO. 70-98

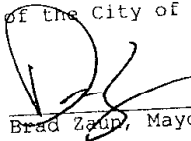
WHEREAS, on the 27th day of April, 1998, the "Colby Woods West Plat No. 6" Final Plat (82nd Place and New York Avenue) was approved by the Planning and Zoning Commission; and

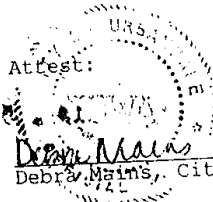

WHEREAS, the aforementioned Final Plat appears to conform to the Subdivision Ordinance of the City of Urbandale and to Chapter 354 of the Code of Iowa, 1997;

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Urbandale, Iowa, that the aforementioned Final Plat is hereby approved.

BE IT FURTHER RESOLVED, that any street, park, or other land which is designated by the plat or the statement by the proprietors to be dedicated to the public is hereby approved and accepted for dedication, but any said street shall not be open for public access at the time of recording or any time thereafter for public safety reasons unless and until the street has been fully improved and said improvements have been accepted by the City Council of the City of Urbandale.

Passed and approved by the City Council of the City of Urbandale, Iowa this 5th day of May, 1998.


Brad Zaup, Mayor

Attest:


Debra Mains, City Clerk

BK7988PG078

LAW OFFICES
BELIN LAMSON ZUMBACH FLYNN
A Professional Corporation
2000 FINANCIAL CENTER
666 WALNUT STREET
DES MOINES, IA 50309-3989
Telephone: (515) 243-7100 Telecopier (515) 282-7615

FILED FOR RECORD
POLK COUNTY, IOWA
98 AUG 20 A 8:44.5
TIMOTHY J. BRIEN
RECORDER

Plat Opinion

May 20, 1998

City of Urbandale
City Hall
Urbandale, Iowa 50322

Dear Mayor and Members of the City Council:

This is to certify that I have examined the attached abstract of title last continued in pencil notes No. 274109 prepared by Iowa Title Company containing 36 entries continued to April 29, 1998 at 7:00 a.m. covering the following-described real estate:

See Exhibit A attached hereto

to be platted as Colby Woods West Plat No. 6, and based upon the abstract I report merchantable fee title in the name of

THE CHARLES I. COLBY AND RUTH COLBY INVESTMENT TRUST as to all of the property described in Exhibit A EXCEPT that portion thereof described in Exhibit B attached hereto

AND

THE CITY OF URBANDALE, IOWA as to the portion of the real estate described in Exhibit B attached hereto

subject to the following:

1. **TRUSTEES.** The Trustees of the Charles I. Colby and Ruth Colby Investment Trust are shown in the abstract to be Charles I. Colby, Jr., Clark A. Colby, Carol L. Clarke and R. Edith Claiborne. Any documents executed on behalf of the Trust should be signed by all four Trustees.
2. **DECLARATION OF EASEMENTS AND COVENANTS.** Declaration of Easements and Covenants recorded March 7, 1985 in Book 5431 at Page 944 of the Polk County, Iowa records by which the then Trustee of the Charles I. Colby and Ruth Colby Investment Trust creates certain private access drives, drainage easements, sewer easements and other rights affecting not only the property included in this plat but adjacent property owned by the Trustee. This Declaration has been amended by a First Amendment of Declaration of Easements and Covenants recorded March 15, 1988 in Book 5832 at Page 200 of the Polk County, Iowa records.
3. **EASEMENT AGREEMENT.** Easement Agreement recorded July 19, 1989 in Book 6126 at Page 238 of the Polk County, Iowa records between the Charles I. Colby and Ruth Colby Investment Trust and Cobblestone Owners Association, Inc. whereby cross easements are granted benefiting property owned by the parties to the Agreement, which includes property included in this plat, whereby the Charles I. Colby and Ruth Colby Investment Trust and its successors and assigns as owners of the property then owned by the Trust and described in the Easement Agreement would have the right to use the private streets located in Cobblestone Plat Nos. 1 through 13, inclusive, to the same extent and to the same purposes as the owners of the property in Cobblestone Plat Nos. 1 through 13, inclusive, and the owners of property in Cobblestone Plat Nos. 1 through 13 shall have the right to use and enjoy any street, whether dedicated to the City of Urbandale or not which may be constructed in the property described therein owned by the Trustee of the Charles I. Colby and Ruth Colby Investment Trust.

BK7988PG079

4. **TELECOMMUNICATIONS EASEMENT.** Telecommunications Easement granted to U.S. West Communications, Inc. recorded in Book 7111 at Page 579 of the Polk County, Iowa records which consists of a 10 foot wide utility easement located in the Southwest 1/4 of Section 26-79-25 more particularly described in the easement as containing 100 square feet more or less.

5. **UTILITY EASEMENTS.** This is a Plat Opinion prepared in connection with the filing of the final plat of Colby Woods West Plat 6, and therefore no reference is made to particular utility easements granted to the City of Urbandale, Iowa and shown of record in the abstract.

6. **SEARCHES:** No new searches have been made against anyone outside the chain of title. There appears no liens against the present titleholder except as may be noted in this opinion.

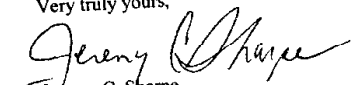
7. **REAL ESTATE TAXES:** Fiscal year 1996-97 taxes Parcel No. 176-16: first installment \$43.00 paid; second installment \$43.00 paid. Parcel No. 179-14-9: first installment \$249.00 paid; second installment \$249.00 paid. Parcel No. 612-601-1: first installment \$144.00 paid; second installment \$144.00 paid. Parcel No. 612-601-2: no tax assessed (City of Urbandale Right-of-Way). Urbandale District 31-2.

8. **ZONING:** The property is subject to the zoning ordinances of the City of Urbandale, Iowa.

GENERAL EXCEPTIONS: There are certain matters which cannot be ascertained from an examination of the abstract and which may affect your use of, enjoyment of and rights in and to the real estate under examination. Accordingly, this title opinion is subject to and you must take notice of the following:

- a. Matters which would be revealed by an accurate survey and inspection of the premises such as encroachments, overlaps, and boundary line disputes. Further, access to public streets and the correctness of lot area and boundary lines cannot be assured by this opinion.
- b. You are charged with notice of the rights of persons in possession of the real estate or any portion thereof.
- c. The real estate under examination is subject to the zoning ordinances of the city or county stated above. You should determine whether the real estate complies with the applicable zoning ordinances.
- d. Persons furnishing labor or materials for improvement of the real estate within the last 90 days may be entitled to file a mechanic's lien if not paid. In such event, your lien or title may be subject to such mechanic's lien.
- e. Special assessments, preliminary assessments, and deficiency assessments are a lien from certification by the city or the county or other taxing jurisdiction to the County Treasurer. The lien for such assessments has priority equivalent to real estate taxes. Such a lien may not be shown in the abstract but may attach against the real estate for work preliminarily approved by the City Council.
- f. Charges for certain municipal services provided by a city prior to your ownership, such as solid waste and sewage disposal, may be a lien against the real estate when certified to the County Treasurer's Office. Such a lien has priority equivalent to real estate taxes.
- g. The abstract does not disclose the existence of hazardous substances, hazardous waste, hazardous materials, pollutants, contaminants, underground storage tanks, drainage wells, active or abandoned water wells and other environmentally-regulated activities. You are cautioned that federal, state and local legislation may permit injunctive relief, and require removal and remedial actions, or other clean up, and may create a lien for the same.
- h. Searches for judgments by the abstractor are limited to a ten-year period, however, certain installment judgments such as child support and alimony rendered in a decree of dissolution more than ten years ago are a lien on the real estate of the obligor for ten years after the installment becomes due.

Very truly yours,


Jeremy C. Sharpe
For the Firm

JCS/djd

EXHIBIT A

COLBY WOODS WEST PLAT No. 6

PROPERTY DESCRIPTION:

Commencing at the West 1/4 Corner of Section 26, Township 79 North, Range 25 West of the 5th P.M., Urbandale, Polk County, Iowa; thence, N89°31'45"E along the South Line of the Northwest 1/4 of said Section 26, a distance of 50.00 feet to the East Right-of-Way Line of 86th Street as it is presently established; thence, N00°00'00"E along the East Right-of-Way Line of said 86th Street, a distance of 65.60 feet to the Northwest Corner of Colby Woods West Plat No. 4, an Official Plat, Urbandale, Polk County, Iowa and to the Point of Beginning; thence continuing N00°00'00"E along the East Right-of-Way Line of said 86th Street, a distance of 360.23 feet; thence, S60°-00'-00"E, a distance of 837.26 feet; thence, S39°55'30"E, a distance of 1112.21 feet; thence, S06°17'28"W, a distance of 466.83 feet to the most Northerly Corner of Cobblestone Plat No. 12, an Official Plat, Urbandale, Polk County, Iowa; thence, S60°01'36"W along the Northwesterly Line of said Cobblestone Plat No. 12 and along the Northwesterly Line of Cobblestone Plat No. 13, an Official Plat, Urbandale, Polk County, Iowa, a distance of 343.50 feet to the most Westerly Corner of said Cobblestone Plat No. 13, and to the easterly Line of Cobblestone Plat No. 18, an Official Plat, Urbandale, Polk County, Iowa; thence, N29°58'24"W along the Easterly Line of said Cobblestone Plat No. 18, a distance of 7.00 feet to the most Northerly Corner of said Cobblestone Plat No. 18; thence, S60°01'36"W along the Northerly Line of said Cobblestone Plat No. 18, a distance of 321.05 feet to the Northwest Corner of said Cobblestone Plat No. 18; thence, S00°02'45"W along the Westerly Line of said Cobblestone Plat No. 18, a distance of 63.91 feet; thence Southerly along a 219.95 feet radius curve to the left, a distance of 102.76 feet, said curve having a chord bearing of S13°20'17"E and a chord length of 101.83 feet; thence Southeasterly along a 220.00 feet radius curve to the left, a distance of 123.60 feet, said curve having a chord bearing of S42°49'02"E and a chord length of 121.98 feet; to the most Northerly Corner of Lot A in Colby Woods West Plat No. 3, an Official Plat, Urbandale Polk County, Iowa; thence, S31°05'15"W along the Westerly Line of Lot A in said Colby Woods West Plat No. 3, a distance of 60.00 feet to the Northerly Line of Lot 1 in said Colby Woods West Plat No. 3; thence Northwesterly along the Northerly Line of said Lot 1 and along a 280.00 feet radius curve to the right, a distance of 157.31 feet, said curve having a chord bearing of N42°49'02"W and a chord length of 155.25 feet to the most Northerly Corner of said Lot 1; thence, S00°02'45"W along the Westerly Line of said Lot 1, a distance of 0.93 feet to the Northeast Corner of Colby Woods West Plat No. 2, an Official Plat, Urbandale, Polk County, Iowa; thence, N88°54'45"W along the Northerly Line of said Colby Woods West Plat No. 2, a distance of 780.00 feet to the Easterly Right-of-Way Line of said 86th Street; thence, N00°02'45"E along the Easterly Right-of-Way Line of said 86th Street, a distance of 278.63 feet; thence, S89°57'15"E, a distance of 90.01 feet; thence, N00°02'45"E along a line parallel with and 90.01 feet east of the Easterly Right-of-Way Line of said 86th Street, a distance of 405.08 feet; thence Northeasterly along a 225.00 feet radius curve to the right, a distance of 304.16 feet, said curve having a chord bearing of N38°46'23"E and a chord length of 281.53 feet; thence, N77°30'00"E, a distance of 19.03 feet; thence Northeasterly along a 275.00 feet radius curve to the left, a distance of 287.98 feet, said curve having a chord bearing of N47°30'00"E and a chord length of 275.00 feet; thence, N17°30'00"E, a distance of 70.24 feet to the Southerly Line of said Colby Woods West Plat No. 4; thence Easterly along the Southerly Line of said Colby Woods West Plat No. 4 and along a 350.00 feet radius curve to the right, a distance of 11.63 feet, said curve having a chord bearing of S67°27'07"E and a chord length of 11.63 feet to the Southeast Corner of said Colby Woods West Plat No. 4; thence, N23°30'00"E along the Easterly Line of said Colby Woods West Plat No. 4, a distance of 80.00 feet; thence Northwesterly along the Easterly Line of said Colby Woods West Plat No. 4 and along a 430.00 feet radius curve to the left, a distance of 9.99 feet, said curve having a chord bearing of N67°09'15"W and a chord length of 9.99 feet; thence, N17°30'00"E along the Easterly Line of said Colby Woods West Plat No. 4, a distance of 58.94 feet; thence Northerly along the Easterly Line of said Colby Woods West Plat No. 4 and along a 296.57 feet radius curve to the left, a distance of 165.64 feet, said curve having a chord bearing of N01°30'00"E and a chord length of 163.49 feet; thence, N14°30'00"W along the Easterly Line of said Colby Woods West Plat No. 4, a distance of 34.89 feet; thence Northwesterly along the Northeasterly Line of said Colby Woods West Plat No. 4 and along a 352.39 feet radius curve to the left, a distance of 325.97 feet, said curve having a chord bearing of N41°00'00"W and a chord length of 314.47 feet; thence N67°30'00"W along the Northerly Line of said Colby Woods West Plat No. 4, a distance of 23.97 feet; thence Westerly along the Northerly Line of said Colby Woods West Plat No. 4 and along a 251.64 feet radius curve to the right, a distance of 98.82 feet, said curve having a chord bearing of N56°15'00"W and a chord length of 98.18 feet; thence, N45°00'00"W along the Northerly Line of said Colby Woods West Plat No. 4, a distance of 30.18 feet; thence Westerly along the Northerly Line of said Colby Woods West Plat No. 4 and along a 234.90 feet radius curve to the left, a distance of 184.49 feet, said curve having a chord bearing of N67°30'00"W and a chord length of 179.78 feet; thence, N90°00'00"W along the Northerly Line of said Colby Woods West Plat No. 4, a distance of 57.00 feet to the Point of Beginning.

Said tract of land being subject to and together with any and all easements of record.

Said tract of land contains 39.88 acres more or less.

BK7988P6081

EXHIBIT B

An irregularly shaped portion of Lot 1 in Colby Woods West Plat No. 1, an Official Plat, Urbandale, Polk County, Iowa, described as:

Beginning at the Northeast Corner of Lot 1 in Colby Woods West Plat No. 1, an Official Plat, Urbandale, Polk County, Iowa; thence, S00°-02'-45"W along the East Line of said Lot 1, a distance of 499.07 feet to the Northwest Corner of Lot 1, Colby Woods West Plat No. 3, an Official Plat, Urbandale, Polk County, Iowa; thence, Northwesterly along a 280.23 feet radius curve to the right, a distance of 130.92 feet, said curve having a chord bearing of N13°-20'-17"W and a chord length of 129.73 feet; thence, N00°-02'-45"E along a line parallel with and 30.00 feet West of the East Line of said Lot 1, a distance of 373.43 feet to the North Line of said Lot 1; thence S88°-54'-45"E along the North Line of said Lot 1, a distance of 30.00 feet to the Point of Beginning.

BK7988PG082

FILED FOR RECORD
POLK COUNTY, IOWA
98 AUG 20 A 8:44.5

CERTIFICATE OF TREASURER OF POLK COUNTY, IOWA

TIMOTHY J. BRIEN
RECORDER

STATE OF IOWA)
) ss:
COUNTY OF POLK)

I, Mary Maloney, Treasurer of Polk County, having examined the records of my office, in accordance with the provisions of Section 354.11 of the Code of Iowa pertaining to real properties, specifically set forth in Exhibit "A" attached hereto and made of part hereof, to be hereinafter designated as

COLBY WOODS WEST PLAT NO. 6
an Official Plat,
Polk County, Iowa

do hereby certify that same is free from all certified taxes, special assessments and special rates and charges.

Nor are there any taxes due for Moneys and Credits, Bushels of Grain, Industrial Machinery, Data Processing Equipment, Utilities or Buildings on Leased Land against

**CHARLES I. COLBY, JR; CLARK A. COLBY;
R. EDITH CLAIBORNE; AND CAROL L. CLARKE,
AS TRUSTEES OF THE CHARLES I. COLBY AND RUTH COLBY INVESTMENT TRUST,**

**AND
THE CITY OF URBANDALE**
who are the record title holders
of said real estate.

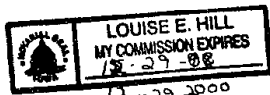
Dated at DES MOINES, IOWA this 29th day of May, 1998.

MARY MALONEY
POLK COUNTY TREASURER

by *Jodi T. Hovick*
Deputy Treasurer

Subscribed and sworn to before me this 29th day of May, 1998.

Louise E. Hill
Notary Public in and for Polk County, Iowa



BK7988PG083

COLBY WOODS WEST PLAT No. 6

PROPERTY DESCRIPTION:

Commencing at the West 1/4 Corner of Section 26, Township 79 North, Range 25 West of the 5th P.M., Urbandale, Polk County, Iowa; thence, N89°31'45"E along the South Line of the Northwest 1/4 of said Section 26, a distance of 50.00 feet to the East Right-of-Way Line of 86th Street as it is presently established; thence, N00°00'00"E along the East Right-of-Way Line of said 86th Street, a distance of 65.60 feet to the Northwest Corner of Colby Woods West Plat No. 4, an Official Plat, Urbandale, Polk County, Iowa and to the Point of Beginning; thence continuing N00°00'00"E along the East Right-of-Way Line of said 86th Street, a distance of 360.23 feet; thence, S60°-00'-00"E, a distance of 837.26 feet; thence, S39°55'30"E, a distance of 1112.21 feet; thence, S06°17'28"W, a distance of 466.83 feet to the most Northerly Corner of Cobblestone Plat No. 12, an Official Plat, Urbandale, Polk County, Iowa; thence, S60°01'36"W along the Northwesterly Line of said Cobblestone Plat No. 12 and along the Northwesterly Line of Cobblestone Plat No. 13, an Official Plat, Urbandale, Polk County, Iowa, a distance of 343.50 feet to the most Westerly Corner of said Cobblestone Plat No. 13, and to the easterly Line of Cobblestone Plat No. 18, an Official Plat, Urbandale, Polk County, Iowa; thence, N29°58'24"W along the Easterly Line of said Cobblestone Plat No. 18, a distance of 7.00 feet to the most Northerly Corner of said Cobblestone Plat No. 18, a distance of 321.05 feet to the Northwesterly Corner of said Cobblestone Plat No. 18; thence, S00°02'45"W along the Westerly Line of said Cobblestone Plat No. 18, a distance of 63.91 feet; thence Southerly along a 219.95 feet radius curve to the left, a distance of 102.76 feet, said curve having a chord bearing of S13°20'17"E and a chord length of 101.83 feet; thence Southeasterly along a 220.00 feet radius curve to the left, a distance of 123.60 feet, said curve having a chord bearing of S42°49'02"E and a chord length of 121.98 feet; to the most Northerly Corner of Lot A in Colby Woods West Plat No. 3, an Official Plat, Urbandale Polk County, Iowa; thence, S31°05'15"W along the Westerly Line of said Cobblestone Lot 1 in said Colby Woods West Plat No. 3; thence Northwesterly along the Northerly Line of said Lot 1 and along a 280.00 feet radius curve to the right, a distance of 157.31 feet, said curve having a chord bearing of N42°49'02"W and a chord length of 155.25 feet to the most Northerly Corner of said Lot 1; thence, S00°02'45"W along the Westerly Line of said Lot 1, a distance of 0.93 feet to the Northeast Corner of Colby Woods West Plat No. 2, an Official Plat, Urbandale, Polk County, Iowa; thence, N88°54'45"W along the Northerly Line of said Colby Woods West Plat No. 2, a distance of 780.00 feet to the Easterly Right-of-Way Line of said 86th Street; thence, N00°02'45"E along the Easterly Right-of-Way Line of said 86th Street, a distance of 278.63 feet; thence, S89°57'15"E, a distance of 90.01 feet; thence, N00°02'45"E along a line parallel with and 90.01 feet east of the Easterly Right-of-Way Line of said 86th Street, a distance of 405.08 feet; thence Northeasterly along a 225.00 feet radius curve to the right, a distance of 304.16 feet, said curve having a chord bearing of N38°46'23"E and a chord length of 281.53 feet; thence, N77°30'00"E, a distance of 19.03 feet; thence Northeasterly along a 275.00 feet radius curve to the left, a distance of 287.98 feet, said curve having a chord bearing of N47°30'00"E and a chord length of 275.00 feet; thence, N17°30'00"E, a distance of 70.24 feet to the Southerly Line of said Colby Woods West Plat No. 4; thence Easterly along the southerly Line of said Colby Woods West Plat No. 4 and along a 350.00 feet radius curve to the right, a distance of 11.63 feet, said curve having a chord bearing of S67°27'07"E and a chord length of 11.63 feet to the Southeast Corner of said Colby Woods West Plat No. 4; thence, N23°30'00"E along the Easterly Line of said Colby Woods West Plat No. 4, a distance of 80.00 feet; thence Northwesterly along the Easterly Line of said Colby Woods West Plat No. 4 and along a 430.00 feet radius curve to the left, a distance of 9.99 feet, said curve having a chord bearing of N67°09'57"W and a chord length of 9.99 feet; thence, N17°30'00"E along the Easterly Line of said Colby Woods West Plat No. 4, a distance of 58.94 feet; thence Northerly along the Easterly Line of said Colby Woods West Plat No. 4 and along a 296.57 feet radius curve to the left, a distance of 165.64 feet, said curve having a chord bearing of N01°30'00"E and a chord length of 163.49 feet; thence, N14°30'00"W along the Easterly Line of said Colby Woods West Plat No. 4, a distance of 34.89 feet; thence Northwesterly along the Northeasterly Line of said Colby Woods West Plat No. 4 and along a 352.39 feet radius curve to the left, a distance of 325.97 feet, said curve having a chord bearing of N41°00'00"W and a chord length of 314.47 feet; thence N67°30'00"W along the Northerly Line of said Colby Woods West Plat No. 4, a distance of 23.97 feet; thence Westerly along the Northerly Line of said Colby Woods West Plat No. 4 and along a 251.64 feet radius curve to the right, a distance of 98.82 feet, said curve having a chord bearing of N56°15'00"W and a chord length of 98.18 feet; thence, N45°00'00"W along the Northerly Line of said Colby Woods West Plat No. 4, a distance of 30.18 feet; thence Westerly along the Northerly Line of said Colby Woods West Plat No. 4 and along a 234.90 feet radius curve to the left, a distance of 184.49 feet, said curve having a chord bearing of N67°30'00"W and a chord length of 179.78 feet; thence, N90°00'00"W along the Northerly Line of said Colby Woods West Plat No. 4, a distance of 57.00 feet to the Point of Beginning.

Said tract of land being subject to and together with any and all easements of record.

Said tract of land contains 39.88 acres more or less.

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