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Horizons Unlimited of Palo Alto County
and Emmetsburg Municipal Utilities
to
Palo Alto County, Iowa

[EASEMENT FOR PUBLIC HIGHWAY
[Dated August 23, 1995
[Filed August 29, 1995
[Book 94, page 160

KNOW ALL MEN BY THESE PRESENTS:

That Horizons Unlimited of Palo Alto County, Incorporated, Owner; the City of Emmetsburg, Easement Holder; Emmetsburg Municipal Utilities, Easement Holder, of Palo Alto County, State of Iowa, in consideration of the sum of One Dollar and other good and valuable considerations in hand paid by Palo Alto County, Iowa, do hereby sell and convey unto Palo Alto County, Iowa, for road purposes and for use as a Public Highway, the following described premises situated in the County of Palo Alto, State of Iowa, to-wit:

A part of the fractional Southwest one-quarter of the Northwest one-quarter (frl SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Thirty-one (31), Township Ninety-six (96) North, Range Thirty-two (32) West of the 5th P.M., Palo Alto County, Iowa as shown on the Acquisition Plat, Parcel No. 3, Project SPC-9605 attached hereto and by referenced made a part thereof and further described as follows:

The South Ninety-two (92) feet of a tract of land in the fractional Southwest one-quarter of the Northwest one-quarter (frl SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Thirty-one (31), Township Ninety-six (96) North, Range Thirty-two (32) West of the 5th P.M., Palo Alto County, Iowa, described in the Palo Alto County Office of Records, Book 60, Page 52, and more particularly described in attached Exhibit "A". Note: said Ninety-two (92) feet wide strip of and contains 1.16 acres of new additional highway right of way.

And we hereby covenant with the said Palo Alto County that we are lawfully seized of said premises; that they are free from encumbrance; that we have good and lawful authority to sell and convey the same, and we do hereby covenant to warrant and defend that said premises against the lawful claims of all persons whomsoever.

Signed this 23rd day of August, A.D. 1995.

Horizons Unlimited of Palo Alto County, Incorporated by its President, as authorized by its, Board of Directors by Resolution dated August 22, 1995.

BY: Philip R. Stillman, President

ATTEST: Michael L. Wentzel, Secretary Treasurer

City of Emmetsburg by its Mayor as authorized by City Council Resolution dated August 29, 1995, and passed by the Emmetsburg City Council

BY: Norlyn Stowell, Mayor

ATTEST: Jill R. Kliegl, Deputy City Clerk

Emmetsburg Municipal Utilities by its authorized agent by resolution dated August 29, 1995, and passed by the Emmetsburg Municipal Utilities Trustees

BY: Dr. Dennis Schneider, Board Chairman

ATTEST: David Reit, Superintendent

See attached drawing.

Parcel No. 3

PROPERTY PLAT

Acquired from Horizons Unlimited of Palo Alto County, Incorporated,
Owner; City of Emmetsburg, Easement Holder; Emmetsburg
Municipal Utilities, Easement Holder

R.O.W. Area 1.16 Acres

Acquired by EASEMENT Date of Contract 1995

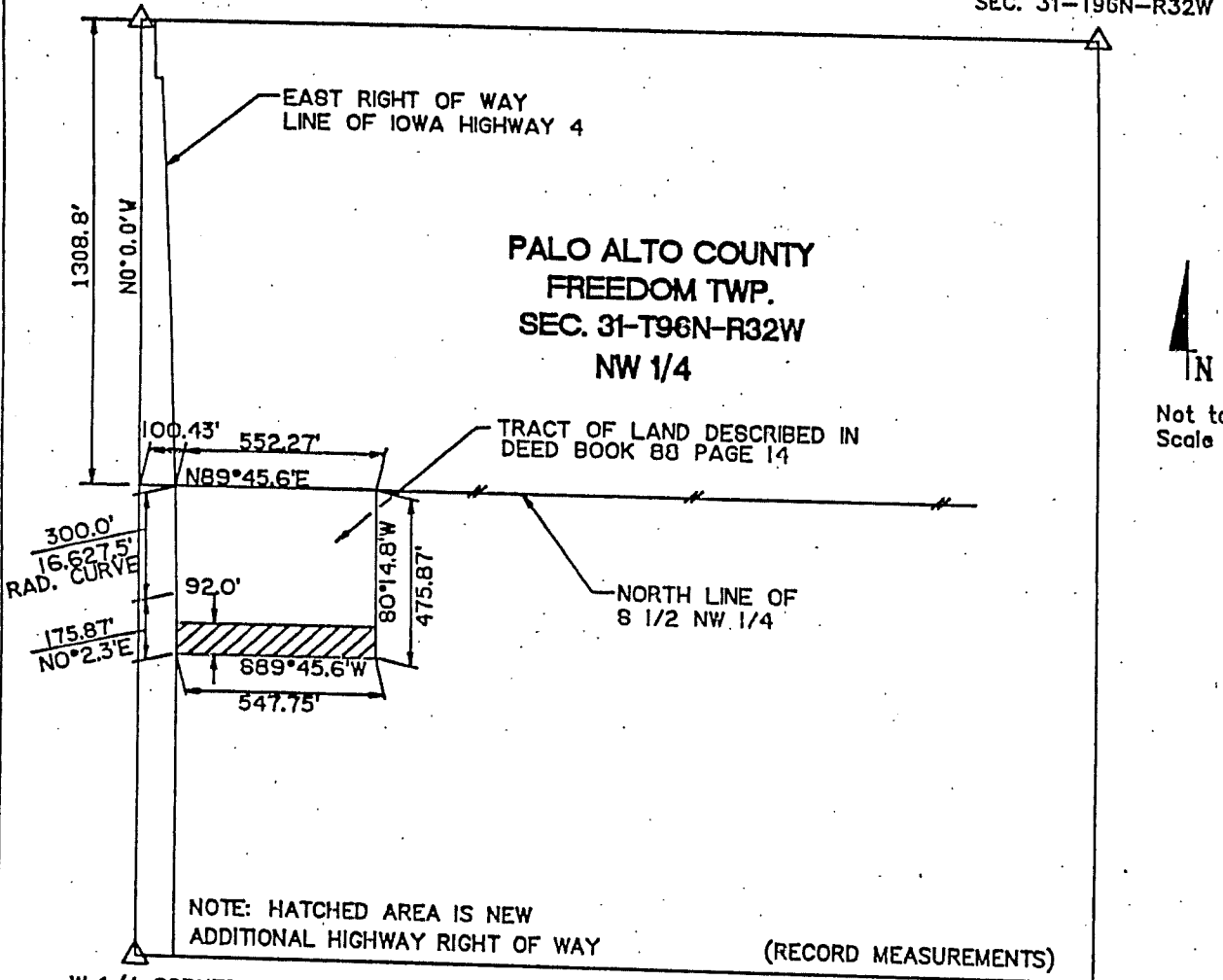
From ϕ Station 1+03.5 to ϕ Station 6+51.46

Section 31, Township 96N, Range 32W

Township (Civil) FREEDOM, PALO ALTO CO. Iowa.

NW CORNER
SEC 31-T96N-R32W

N 1/4 CORNER
SEC. 31-T96N-R32W



W 1/4 CORNER
SEC 31-T96N-R32W

Palo Alto

(County)

Project No. SPC-9605

EXHIBIT A

A part of the fractional Southwest Quarter of the Northwest Quarter (Frt'l SW 1/4 NW 1/4) of Section Thirty-one (31), Township Ninety-six (96) North, Range Thirty-two (32) West of the 5th P.M., Palo Alto County, Iowa, more specifically described as follows: Commencing at the Northwest Corner of said Section 31, at a distance of 10.24 feet west of the centerline of Iowa Highway 4, thence South 0° 00' East along the west line of said Section 31 a distance of 1308.8 feet, thence North 89° 45.6' East a distance of 100.43 feet to a point on the East right of way line of Iowa Highway 4, which point is the point of beginning of the tract to be conveyed; thence North 89° 45.6' East a distance of 552.27 feet, thence South 0° 14.8' West a distance of 475.87 feet, thence South 89° 45.6' West a distance of 547.75 feet to a point on the East right of way line of Iowa Highway 4, thence North 0° 2.3' East along said East right of way line a distance of 175.87 feet, thence Northerly along said East right of way line and along a 16,627.5 foot radius curve, concave westerly and tangent at its beginning to the preceding course, a distance of 300.00 feet to the point of beginning containing 6.000 acres, more or less.

NOTE: The West line of the Northwest Quarter of said Section 31 is assumed to bear due North and South.