

CITY DEED

KNOW ALL MEN BY THESE PRESENTS:

That the City of Sioux City, Iowa, a municipal corporation, of the County of Woodbury, and State of Iowa, by its Mayor thereunto duly authorized, as hereinafter set forth, in consideration of the sum of ONE DOLLAR AND OTHER VALUABLE CONSIDERATION in hand paid by Center

Mall Inc.-----
of the County of Woodbury, and State of Iowa, does hereby release, remise, convey and quitclaim unto the said Center Mall, Inc.-----

all its right, title and interest in and to the following described premises situated in the County of Woodbury, and State of Iowa, to-wit:

PARCEL 1

LEGAL DESCRIPTION

"The East ten (10') feet of Lot 6, all of Lot 7, that part of Lots 8 and 9, Block 1, Fourth Street Addition to Sioux City, Iowa and all of Lots 1, 2, and 3, Block 1, and that part of Lots 1, 2, 3, and 4, and all of Lot 5, Block 2, and all that part of Outlot "A", and all that part of vacated Fourth Street lying between said Blocks 1 and 2, and said vacated Fourth Street extended Southeasterly across said Outlot "A", all in Fourth Street Addition to Sioux City, Iowa, Second Filing, and all being bounded and described as follows:

Beginning at the Northwest corner of the said East 10 feet of Lot 6, Block 1, Fourth Street Addition, thence East along the North line of the said Lots 6, 7, 8, and 9 in Block 1, Fourth Street Addition for a distance of 80 feet; thence with an angle to the right of 56 $\frac{1}{2}$ 36' 30" for a distance of 157.40 feet to the West line of Fairmount Street; thence with an angle to the right of 33 $\frac{1}{2}$ 17' and South along the West line of said Fairmount Street, a distance of 191.95 feet to the North line of Third Street; thence West along the North line of Third Street, a distance of 167.66 feet to a point which is located 22 feet East of the West line of Fourth Street Addition to Sioux City, Iowa, Second Filing; thence North parallel to the West line of the said Fourth Street Addition, Second Filing, a distance of 176.45 feet to the Southwest corner of the said East 10 feet of Lot 6, Block 1, Fourth Street Addition; thence continuing North along the West line of the said East 10 feet of Lot 6, Block 1, Fourth Street Addition, a distance of 147.4 feet to the point of beginning.

Contains 48,380.99 square feet more or less, and subject to the denial of the right of access onto 4th Street and onto Fairmount Street." Grantor hereby conveys all its rights in a certain encement dated March

10, 1937, filed April 5, 1937, and recorded at Book 129, Page 162.

Subject to the right of the City of Sioux City, Iowa, to use said real estate in connection with the operation of any presently existing and installed public utility, above or below the ground, and subject to the same right on the part of public utility companies operating under franchise in the City of Sioux City, Iowa.

This deed is executed under and by virtue of the authority vested in the Mayor of Sioux City, Iowa, under the provisions of a certain ordinance or resolution No. S- 38241, duly passed and approved on the 11th day of June, 19 79, under the provision of which and in accordance herewith, this deed is executed and delivered.

IN WITNESS WHEREOF, The City of Sioux City, Iowa, has caused these Presents to be signed by its Mayor and the seal of said City duly attested by the City Clerk hereunto affixed this 11th day of June, 19 79.

CITY OF SIOUX CITY, IOWA

BY:

Donald L. Lawrenson
DONALD L. LAWRENSON, MAYOR

ATTEST:

Earl A. Martin
EARL A. MARTIN, CITY CLERK

STATE OF IOWA)

) ss.

WOODBURY COUNTY)

On this 11th day of June, A. D. 19 79, before me, a Notary Public duly commissioned and qualified in and for said County and State, personally appeared Donald L. Lawrenson, Mayor of the City of Sioux City, Iowa, and Earl A. Martin, City Clerk of said City, each being to me personally known to be the identical persons and officers named in the foregoing instrument, who executed the same under and by virtue of the authority vested in them by the City Council of said City, and each for himself acknowledged the execution thereof to be his voluntary act and deed for the purposes herein expressed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and notarial seal at Sioux City, Iowa, the day and year last above written.

Cheryl A. Banta
Notary Public, in and for Woodbury County, Iowa

Cheryl A. Banta

(My Commission Expires 9-30-80)

Exempt from Transfer Tax Pursuant to Chapter 428A.2 (6)

RESOLUTION NO. S- 38241

RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A CITY DEED TO CENTER MALL, INC., IN CONNECTION WITH THE SALE AND EXCHANGE OF PROPERTY OWNED BY THE CITY OF SIOUX CITY, IOWA (A 48,380.99 SQUARE FOOT TRACT OF LAND LOCATED AT THE NORTHWEST CORNER OF THE INTERSECTION OF 3RD AND FAIRMOUNT STREETS).

WHEREAS, the City Council of the City of Sioux City, Iowa, pursuant to Resolution No. S-37749, after public hearing on April 9, 1979, adopted a proposal by Center Mall, Inc., to exchange and sell certain property owned by the City of Sioux City and Center Mall, Inc. (see Amended and Substituted Exchange Agreement attached hereto and by this reference made a part of this resolution); and

WHEREAS, a City Deed prepared in accordance with the previously approved and signed "Amended and Substituted Exchange Agreement" is attached hereto and by this reference made a part hereof.

NOW, THEREFORE, BE, AND IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX CITY, IOWA, that the property described in Resolution No. S-37749 and the "Amended and Substituted Exchange Agreement" of April 9, 1979, be sold and exchanged in accordance with the terms and conditions contained therein.

BE IT FURTHER RESOLVED that the City Deed attached hereto be, and the same is hereby approved as to form and content and the Mayor is hereby authorized and directed to execute the same for and on behalf of the City of Sioux City, Iowa.

BE IT FURTHER RESOLVED that upon sale and exchange of property pursuant to the terms of the "Amended and Substituted Exchange Agreement", the Deed be delivered to Center Mall, Inc.

PASSED AND APPROVED: June 11, 1979.

Donald L. Lawrenson
MAYOR

ATTEST: *[Signature]*
CITY CLERK

Donald L. Lawrenson

W/r/c Earl A. Martin

STATE OF IOWA,
Woodbury County,)

CITY OF SIOUX CITY
OFFICE OF THE CITY CLERK

I, Earl A. Martin

City Clerk of the City of Sioux City and Clerk of the City

Council thereof, and, as such, having charge of and in my possession all the records and documents pertaining to said office now remaining therein, do hereby certify that it appears from such records

that the foregoing is a true and correct copy of ~~XXXXXXXX~~ Resolution No. S-38241
duly passed and adopted by the City Council of said City on the 11th day of June 1979

upon the call of year and have thereof duly had and recorded, and that the said ~~XXXXXXXX~~ Resolution No. S-38241 is duly recorded in ~~XXXXXXXX~~ Resolution Book 53 on page 437

Dated at Sioux City, Iowa, this 11th day of June 1979

[Signature]
City Clerk
Earl A. Martin

Rec. fee \$ 1.25
Adm. fee \$ 1.00
\$ 2.25

WOODBURY COUNTY, IOWA

Entered, upon the transfer book and

for taxation this 11th day of June 1979

My fee paid by Treasurer

My fee paid by Auditor

DONALD E. LINDOSKI, Auditor

[Signature]

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STATE OF IOWA
WOODBURY COUNTY
Filed for record, indexed and delivered to
Recorder on 11th day of
July A.D. 1979 at 2:00 o'clock
P.M. and recorded on Roll 91
Page 482
Rec. fee and Adm. fee \$ 2.25
BY *[Signature]*
HOSE VERNER, Recorder

[Signature]
Blair Le Grand
401-11th Street 51105