

INST. NO. 31126
POLK COUNTY, IOWA
FILED FOR RECORD
030183-2031
MAR - 3 1983
WARRANTY DEED
Parcel No. 104
Ankeny - R-24
3-4-83

KNOW ALL MEN BY THESE PRESENTS: That BIG H REALTY PARTNERSHIP of Polk County, State of Iowa, in consideration of the sum of One and no/100-----DOLLAR and other valuable considerations, in hand paid by Department of Transportation, do hereby sell and convey unto the STATE OF IOWA, the following described premises situated in the County of Polk, State of Iowa, to-wit:

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

All rights of direct access between Relocated Primary Road No. 415 and grantors' property abutting thereon from Sta. 315+00 to Sta. 328+23+ (Property Line), on the south side.

The grantors property is described as: "Beginning at the northeast corner of Section 34, Township 80 North, Range 24 West of the 5th P.M., Polk County, Iowa; thence west 1319.71 feet along the north line of the northeast quarter of said Section 34, thence south 0° 16.6' east 1332.35 feet, thence south 2°53.1' east 657.3 feet to the northerly ROW line of Highway 415, thence south 53°50.1' east 1097.62 feet along said ROW line to the south line of said Northeast Quarter, thence north 89°51.74' east 382.2 feet along said south line to the east quarter corner of said Section 34, thence north 0°15.49' east 2635.59 feet to the point of beginning, except road right of way described as: Beginning at the NE Corner of said Section 34, thence S89°55'W, 555.0 feet on the north line of said E 1/2 NE 1/4; thence S00°10.5'W, 1047.6 feet; thence S01°18.5'W, 353.2 feet; thence S03°16.5'E, 611.2 feet; thence S07°28.5'E, 148.3 feet; thence N88°42.5'W, 552.0 feet to the existing north-easterly right of way line of present Primary Road No. Ia. 415; thence S53°54.5'E, 833.1 feet on said right of way line to the south line of said E 1/2 NE 1/4; thence N89°47'E, 266.3 feet on said south line; thence N10°58'W, 142.3 feet; thence northerly 184.2 feet along a 7489.44 foot radius curve, concave easterly, the chord for which bears N10°15.5'W and has a length of 184.2 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°25.5'W, 302.7 feet; thence N00°10.5'E, 455.7 feet to the existing southerly right-of-way line of Oralabor Road; thence N89°55'E, 325.0 feet on said right of way line to the east line of said E 1/2 NE 1/4; thence N00°10.5'E, 40.0 feet on said east line to the point of beginning (containing 18.86 acres of which 0.51 acres is contained within the existing 1 - acre county road right of way), the parcel containing 52.55 acres more or less."

It is also agreed between the grantor and grantee that the right of access in a certain REAL ESTATE CONTRACT AND INTERAGENCY TRANSFER OF JURISDICTION recorded in the public records in Book 4938, Pages 895 through 994, both inclusive, Polk County, Iowa, is hereby amended to allow access to Relocated Primary Road No. 415 at Sta. 314+23, south side in addition to the entrances previously granted at Sta. 329+42.93, south side, at Sta. 340+50, south side, at Sta. 650+20, both sides, and at Sta. 662+50, both sides.

This covenant shall run with the title to the land and is for the benefit of the State of Iowa, acting through its agencies, including the Department of Transportation, its successors, assigns, to regulate, restrict, and prohibit such access upon such terms and conditions as may be specified from time to time in accordance with Section 306A.4, Code of Iowa.

THIS WARRANTY DEED DOES NOT CONVEY FEE TITLE TO THE GRANTORS' REAL ESTATE DESCRIBED HEREIN, BUT IS SOLELY A CONVEYANCE OF AND AMENDMENT OF ACCESS RIGHTS, AND THEREBY RESTRICTS THE RIGHT OF INGRESS AND EGRESS FROM SAID REAL ESTATE TO AND FROM RELOCATED PRIMARY ROAD NO. 415.

This deed and transfer is exempt from transfer tax because the consideration is \$500.00 or less. Sec. 428A.1, Code of Iowa.

This deed is executed, given and recorded in accordance with, and in fulfillment of, the terms of a certain recorded real estate contract dated February 7, 1983, and recorded in the office of the Polk County Recorder on February 16, 1983, and occurring in Book 5227, Page 323-325, or on file with the Office of Right of Way, Highway Division of the Department of Transportation in Ames, Iowa.

And the grantors do hereby covenant with the said STATE OF IOWA, that said grantors are lawfully seized of said premises; that they have good and lawful authority to sell and convey the same; that said premises are free and clear of all liens and encumbrances whatsoever; and said grantors covenant to warrant and defend the title to said premises against lawful claims of all persons whomsoever, and each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the above described premises.

State of Iowa Polk County SS
I, the undersigned, being duly sworn, depose and say that the foregoing is a true and correct copy of the original as the same appears from the records of the County Recorder of said Polk County, Iowa.
Notary Public for Iowa
M. J. [Signature]

Words and phrases herein, including acknowledgment hereof, shall be construed as in singular or plural number, and as feminine or masculine gender, according to the context.

Signed this 21 day of February, A.D. 19 83.

BIG H REALTY PARTNERSHIP:

By [Signature]
Vern Hicklin, Partner

By [Signature]
Judy Hicklin, Partner

STATE OF Iowa, COUNTY OF Polk, ss:

On this 21 day of February, A.D. 19 83, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Vern Hicklin + Judy Hicklin consisting of all the partners of the Big H Realty Partnership, a Partnership to me personally known who stated that the foregoing instrument was signed on behalf of said partnership and by it voluntarily executed.

(SEAL)



[Signature]
Notary Public in and for the State of Iowa

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