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2015-05487

RECORDER MARK BRANDENBURG

POTTAWATTAMIE COUNTY, IA

FILE TIME: 05/08/2015 1:54:36 PM

REC: 35.00AUD: T TAX:

RMA: 1.00ECM: 1.00

R FEE \$ 35.00 RMA \$ 1.00
 A FEE \$ _____ ECOM \$ 1.00
 T TAX \$ _____

BILL OF SALE

Recorder's Cover Sheet

Preparer Information: (Name, address and phone number)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006
Douglas P. Drummey, General Manager. Reviewed and approved by legal counsel for the Board of Water Works Trustees of the City of Council Bluffs, Iowa.

Taxpayer Information: (Name and complete address)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006
Douglas P. Drummey, General Manager.

Return Document To: (Name and complete address)

Council Bluffs Water Works, P. O. Box 309, Council Bluffs, IA 51502, Phone 712.328.1006
Douglas P. Drummey, General Manager.

Grantors:

Western Iowa Land Development,
L.L.C.

Grantees:

City of Council Bluffs, Iowa, for the use and benefit of The Board of Water Works Trustees of the City of Council Bluffs, Iowa

Legal Description: See next page.

Document or instrument number of previously recorded documents if applicable:

BILL OF SALE

For the consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, Western Iowa Land Development, L.L.C., an Iowa limited liability company (the "Seller"), does hereby sell, assign, transfer and set over unto the City of Council Bluffs, Iowa, for the use and benefit of The Board of Water Works Trustees of the City of Council Bluffs, Iowa (the "Buyer"), the following described personal property, to-wit:

all water lines and appurtenances thereto lying either within a certain easement granted to the Buyer by the Seller, which easement is over, across and through the real estate situated in Pottawattamie County, Iowa, as described in the plat attached hereto as Exhibit 1 or the public rights-of-way identified in said plat

which personal property is currently in the possession of Seller.

The above named Buyer does hereby assent to becoming the owner of the above described property.

Seller hereby covenants with Buyer that Seller is the owner of said personal property, that Seller has good and lawful authority to sell, transfer, and assign the same and that the same is free and clear of all liens, security interests and encumbrances except as may be above stated; and Seller covenants to warrant and defend said personal property against the lawful claims of all persons except as may be above stated.

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

[signature page follows]

Signed the month, day and year appearing opposite the signature block.

Dated: 5-4-15

Western Iowa Land Development, L.L.C.

By: 
Robert P. McCarthy, Manager

922 North Walnut Street
Avoca, Iowa 51521-0683
Telephone: 712-343-2304

STATE OF IOWA)
) ss
COUNTY OF POTTAWATTAMIE)

This instrument was acknowledged before me on 5-4-15 by Robert P. McCarthy as manager of Western Iowa Land Development, L.L.C.

Cheryl Overgaard
Notary Public in and for said State

(Seal)



Exhibit 1

FINAL PLAT OF
FOX RUN LANDING - PHASE III
 LOTS 1 THROUGH 63 INCLUSIVE
 (WITH LOTS 17-32 CLUSTERED AS PERMITTED)
 BEING A REPLAT OF LOT 38 OF "THE SEVEN AT FOX RUN LANDING"
 IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA

PREPARED BY: MELVIN G. SAMPLES, HGM ASSOCIATES, INC., 640 FIFTH AVENUE, COUNCIL BLUFFS, IOWA 51502 (712) 323-0530

| LOT | S.F. | ACRES |
|-----|-------------|-------|
| 1 | 16,440 S.F. | 0.377 |
| 2 | 12,791 S.F. | 0.294 |
| 3 | 12,790 S.F. | 0.294 |
| 4 | 15,582 S.F. | 0.357 |
| 5 | 12,785 S.F. | 0.294 |
| 6 | 13,271 S.F. | 0.315 |
| 7 | 13,270 S.F. | 0.315 |
| 8 | 12,791 S.F. | 0.295 |
| 9 | 12,790 S.F. | 0.295 |
| 10 | 13,270 S.F. | 0.315 |
| 11 | 13,270 S.F. | 0.315 |
| 12 | 15,581 S.F. | 0.357 |
| 13 | 12,773 S.F. | 0.293 |
| 14 | 12,772 S.F. | 0.293 |
| 15 | 13,893 S.F. | 0.316 |
| 16 | 8,500 S.F. | 0.195 |
| 17 | 7,358 S.F. | 0.169 |
| 18 | 5,894 S.F. | 0.135 |
| 19 | 5,893 S.F. | 0.135 |
| 20 | 7,353 S.F. | 0.168 |
| 21 | 7,352 S.F. | 0.168 |
| 22 | 6,811 S.F. | 0.157 |
| 23 | 6,810 S.F. | 0.157 |
| 24 | 7,199 S.F. | 0.165 |
| 25 | 6,808 S.F. | 0.156 |
| 26 | 6,807 S.F. | 0.156 |
| 27 | 8,278 S.F. | 0.191 |
| 28 | 8,277 S.F. | 0.191 |
| 29 | 8,276 S.F. | 0.191 |
| 30 | 8,110 S.F. | 0.187 |
| 31 | 6,854 S.F. | 0.157 |
| 32 | 7,683 S.F. | 0.176 |
| 33 | 10,800 S.F. | 0.250 |
| 34 | 14,239 S.F. | 0.328 |
| 35 | 11,789 S.F. | 0.271 |
| 36 | 8,287 S.F. | 0.191 |
| 37 | 11,293 S.F. | 0.259 |
| 38 | 13,223 S.F. | 0.305 |
| 39 | 11,807 S.F. | 0.271 |
| 40 | 11,806 S.F. | 0.271 |
| 41 | 9,730 S.F. | 0.225 |
| 42 | 8,473 S.F. | 0.195 |
| 43 | 11,807 S.F. | 0.271 |
| 44 | 10,921 S.F. | 0.250 |
| 45 | 10,920 S.F. | 0.250 |
| 46 | 13,200 S.F. | 0.305 |
| 47 | 11,810 S.F. | 0.271 |
| 48 | 11,809 S.F. | 0.271 |
| 49 | 11,808 S.F. | 0.271 |
| 50 | 8,403 S.F. | 0.190 |
| 51 | 8,402 S.F. | 0.190 |
| 52 | 8,401 S.F. | 0.190 |
| 53 | 10,710 S.F. | 0.246 |
| 54 | 8,400 S.F. | 0.190 |
| 55 | 8,400 S.F. | 0.190 |
| 56 | 8,400 S.F. | 0.190 |
| 57 | 8,400 S.F. | 0.190 |
| 58 | 10,710 S.F. | 0.246 |
| 59 | 8,400 S.F. | 0.190 |
| 60 | 10,710 S.F. | 0.246 |
| 61 | 10,710 S.F. | 0.246 |
| 62 | 8,400 S.F. | 0.190 |
| 63 | 12,104 S.F. | 0.279 |

| LOT AREA TABLE | S.F. | ACRES |
|--------------------------|--------------|-------|
| 06/00/1 | 107,278 S.F. | 2.465 |
| 06/00/2 | 3,794 S.F. | 0.087 |
| 06/00/3 | 6,788 S.F. | 0.155 |
| MIDDLE FERRY ROAD R-12-W | 112,921 S.F. | 2.592 |
| CROGAN'S WAY R-12-W | 9,000 S.F. | 0.207 |

LEGAL DESCRIPTIONS:

ALL OF LOT 38, THE SEVEN AT FOX RUN LANDING, A SUBDIVISION IN THE CITY OF COUNCIL BLUFFS, POTTAWATTAMIE COUNTY, IOWA, AS RECORDED IN THE OFFICE OF THE POTTAWATTAMIE COUNTY RECORDER IN BOOK 106, AT PAGE 20865.

SAID LOT CONTAINS AN AREA OF 21.130 ACRES, MORE OR LESS.

OWNERS/DEVELOPERS:

92 INVESTMENTS, LLC
 ROBERT P. MCCARTHY
 POTTAWATTAMIE COUNTY
 AVOCA, IOWA 51521

NOTE:

A 5.000 FOOT WIDE PERMANENT EASEMENT ON EACH SIDE OF ALL SIDE LOT LINES, INCLUDING EASEMENTS ALONG ALL LOT LINES, AND A 5.000 FOOT WIDE PERMANENT EASEMENT ALONG ALL LOT LINES, ARE RESERVED FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES.

PROPRIETOR'S STATEMENT:

KNOW ALL PERSONS BY THESE PRESENTS THAT 92 INVESTMENTS, LLC, BEING THE SOLE OWNER OF THE PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAT, HAS CAUSED SAID PROPERTY TO BE SUBDIVIDED AS LOTS 1 THROUGH 63 INCLUSIVE, BEING A REPLAT OF LOT 38 OF "THE SEVEN AT FOX RUN LANDING" SUBDIVISION PHASE III, SAID 92 INVESTMENTS, LLC DOES HEREBY DEDICATE TO THE CITY OF COUNCIL BLUFFS, IOWA, THE RIGHT-OF-WAY FOR AN EXTENSION OF MIDDLE FERRY ROAD (2.592 ACRES, MORE OR LESS) AND AN EXTENSION OF CROGAN'S WAY ROAD (0.207 ACRES, MORE OR LESS).

AS PART OF THIS PLATTING, LOTS 17 THROUGH 32 INCLUSIVE AND OUTLOT 1 SHALL BECOME "CLUSTER LOTS" AS PERMITTED BY CHAPTER 14.10 OF THE MUNICIPAL SUBDIVISION CODE.

AS PART OF THIS PLATTING, 92 INVESTMENTS, LLC DOES HEREBY DEDICATE OUTLOT 1 TO A NEW HOME OWNERS' ASSOCIATION TO BE FORMED BY CLUSTERED LOTS 17 THROUGH 32 INCLUSIVE. ADDITIONALLY, OWNERS OF LOTS 1 THROUGH 34 INCLUSIVE SHALL JOIN THE EXISTING HOME OWNERS' ASSOCIATION FORMED BY OWNERS OF LOTS WITHIN "THE SEVEN AT FOX RUN LANDING" SUBDIVISION.

AS PART OF THIS PLATTING, 92 INVESTMENTS, LLC DOES HEREBY DEDICATE OUTLOTS 2 AND 3 TO THE EXISTING HOME OWNERS' ASSOCIATION FORMED BY OWNERS OF LOTS WITHIN "FOX RUN LANDING" SUBDIVISION. ADDITIONALLY, OWNERS OF LOTS 35 THROUGH 63 INCLUSIVE SHALL JOIN SAID EXISTING HOME OWNERS' ASSOCIATION FORMED BY OWNERS OF LOTS WITHIN "FOX RUN LANDING" SUBDIVISION.

AS PART OF THIS PLATTING, 92 INVESTMENTS, LLC, AN IOWA CORPORATION DOES HEREBY GRANT TO CITY OF COUNCIL BLUFFS, A MUNICIPAL CORPORATION OF THE STATE OF IOWA, AND ITS AGENTS, CONTRACTORS AND ASSIGNS, PERMANENT NON-EXCLUSIVE EASEMENTS, RIGHTS AND INTERESTS IN THE PROPERTY DESCRIBED WITHIN THIS PLAT, INCLUDING THE RIGHT OF WAY, FOR ENLARGING AND MAINTAINING STORM SEWERS TOGETHER WITH NECESSARY APPURTENANCES THEREON, ON OVER, AND ACROSS THE REAL ESTATE AS SHOWN ON THE DRAWING WHICH IS PART OF THIS DOCUMENT, THESE EASEMENTS SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

- ERECTOR OF STRUCTURES PROHIBITED: GRANTOR SHALL NOT ERECT ANY STRUCTURE OVER OR WITHIN THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.
- CHANGE OF GRADE PROHIBITED: GRANTOR SHALL NOT CHANGE THE GRADE, ELEVATION, OR CONTOUR OF ANY PART OF THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.
- RIGHT OF ACCESS: CITY SHALL HAVE THE RIGHT OF ACCESS TO THE EASEMENT AREA AND HAVE ALL RIGHT OF INGRESS AND EGRESS REASONABLY NECESSARY FOR THE USE AND ENJOYMENT OF THE EASEMENT AREA AS HEREIN DESCRIBED.
- REMOVAL AND REPLACEMENT: THE COST OF REMOVAL AND REPLACEMENT OF ANY UNAUTHORIZED IMPROVEMENT OR STRUCTURES WITHIN THE EASEMENT AREA, NECESSITATED BY THE EXERCISE OF THE RIGHTS UNDER THIS EASEMENT, SHALL BE BORNE BY THE GRANTOR OR THEIR SUCCESSORS OR ASSIGNS.
- SURFACE RESTORATION: CITY'S LIABILITY TO RESTORE THE SURFACE WITHIN THE EASEMENT AREA SHALL BE LIMITED ONLY TO GRADING AND SEEDING, AND REPLACEMENT OF GRANTOR'S SURFACED ROADWAY.
- DUTY TO REPAIR: CITY AGREES THAT ANY DRAIN TILE, DRIVE OR ACCESS WAY, FENCE OR YARD OR OTHER IMPROVEMENTS LOCATED ON THE EASEMENT AREA SHALL BE REPAIRED AT THE GRANTOR'S EXPENSE THROUGH AN EXERCISE OF THE CITY'S RIGHT OF ACCESS SHALL BE REPAIRED AT NO EXPENSE TO GRANTOR.
- EASEMENT RUNS WITH LAND: THIS EASEMENT SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE BINDING ON GRANTOR AND ON GRANTOR'S SUCCESSORS AND ASSIGNS.
- GRANTOR RESERVATION: GRANTOR RESERVES THE RIGHT TO USE THE EASEMENT AREA FOR OTHER PURPOSES PROVIDED HOWEVER THESE PURPOSES SHALL NOT INTERFERE WITH GRANTEES USE OF THE EASEMENT AREA UNDER THE RIGHTS OF THIS AGREEMENT.

FOR LOTS 1, 34, 35, 36, 46, 62, AND 63: THE MINIMUM THRESHOLD ELEVATION FOR WINDOW-WELL, TOP SILL, AND/OR DOOR, WINDOW, OR ANY OTHER EXTERIOR OPENINGS INTO THE HOUSE STRUCTURE SHALL BE 973.0 FEET. ALL OTHER LOTS SHALL BE SUBJECT TO THE MINIMUM THRESHOLD ELEVATION FOR WINDOW-WELL, TOP SILL, AND/OR DOOR, WINDOW, OR ANY OTHER EXTERIOR OPENINGS INTO THE HOUSE STRUCTURE SHALL BE 973.0 FEET. MINIMUM ELEVATIONS MAY BE MODIFIED UPON SUBMITTAL OF A PROPOSED ELEVATION PLAN TO THE CITY ENGINEER. THE CITY ENGINEER SHALL REFER ALL SUCH PROPOSED ELEVATION PLANS TO THE PUBLIC WORKS DEPARTMENT. ON A LOT BY LOT BASIS, THE STATED MINIMUM ELEVATION IS REFERENCED TO THE ORIGINAL DESIGN DOCUMENTS FOR THIS SUBDIVISION AND THIS PLAT. PLEASE OBTAIN COPIES OF SAID DOCUMENTS, ON FILE WITH THE CITY OF COUNCIL BLUFFS PUBLIC WORKS DEPARTMENT, PRIOR TO FINAL LOCATION AND SURFACE DETERMINATION FOR CONSTRUCTION. THE INTENT OF THE STATED ELEVATION MINIMUMS IS TO LESSEN THE POSSIBILITY OF SURFACE WATER ENTERING THE STRUCTURE.

GROUNDWATER IS A SEPARATE ISSUE THAT IS NOT ADDRESSED BY THE MINIMUM ELEVATION RESTRICTIONS, BUT SHOULD BE EVALUATED IF BASEMENTS ARE CONSIDERED (WHERE PERMITTED). THE FOREGOING ELEVATION LANGUAGE MAY ALSO BE FOUND IN THE PORTION OF THE COVENANTS AND RESTRICTIONS FOR THIS SUBDIVISION AS IT PERTAINS TO THESE LOTS.

SAID STORM SEWER AND DRAINAGE EASEMENTS SHALL BE ACROSS THE ENTIRETY OF OUTLOTS 1 THROUGH 3 INCLUSIVE, AND ACROSS LOTS 1-16, LOTS 28 AND 29, LOTS 35-48, AND LOTS 49-63, ALL INCLUSIVE, AS SHOWN AND DIMENSIONED HEREON.

AS PART OF THIS PLATTING, 92 INVESTMENTS, LLC DOES HEREBY DEDICATE TO THE CITY OF COUNCIL BLUFFS, IOWA ALL RIGHTS OF DIRECT VEHICULAR ACCESS FROM LOTS 1 THROUGH 15 INCLUSIVE, ONTO 58th AVENUE.

AS PART OF THIS PLATTING, 92 INVESTMENTS, LLC REQUESTS THAT 128 SQUARE FEET OF EXISTING MIDDLE FERRY ROAD RIGHT-OF-WAY BE VACATED AS DETAILED ON SHEET 2 OF 3.

CITY COUNCIL

APPROVED BY MAYOR: Matthew Walsh DATE 10/15/14

ATTESTED TO BY: _____ DATE _____

CITY CLERK: MARCO L. WORDEN DATE 10/15/14

COMMUNITY DEVELOPMENT DIRECTOR: DONALD D. GROSS DATE 10/15/14

CERIFICATE OF TREASURER OF POTTAWATTAMIE COUNTY, IOWA

I, THE TREASURER OF POTTAWATTAMIE COUNTY, IOWA, HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN THIS PLAT FOR PHASE III IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

TREASURER OF POTTAWATTAMIE COUNTY, IOWA: LEA A. VOSS DATE 10/15/14

IN WITNESS WHEREOF, I DO HEREBY RATEIFY AND APPROVE OF THE DISPOSITION OF 92 INVESTMENTS, LLC PROPERTY AS CONTAINED HEREIN ON THIS _____, 2014.

BY: Robert P. McCarthy DAY OF October

ROBERT P. MCCARTHY } SS. COUNTY OF POTTAWATTAMIE } STATE OF IOWA

NOTARY PUBLIC IN AND FOR SAID STATE

MY COMMISSION EXPIRES 1-24-17

WICKI WAGNERS
 Notary Public
 My Commission Number 71536
 January 24, 2017

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT WAS PREPARED AND THE RELATED SURVEY WORK WAS PERFORMED BY ME OR UNDER MY PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.

MELVIN G. SAMPLES
 LICENSE NUMBER: 10559
 DATE: OCTOBER 2, 2014

MY LICENSE RENEWAL DATE IS DECEMBER 31, 2014.

PAGES OR SHEETS COVERED BY THIS SEAL: _____

SHEETS 1, 2, AND 3 OF 3.

106014

1 OF 3

FOX RUN SUBDIVISION - PHASE III

PROPOSED SUBDIVISION IN COUNCIL BLUFFS, IOWA

FINAL PLAT

92 INVESTMENTS, LLC

212 BOX 683, AVOCA, IOWA 51521

PHASE III

106014

1 OF 3

FOX RUN SUBDIVISION - PHASE III

PROPOSED SUBDIVISION IN COUNCIL BLUFFS, IOWA

FINAL PLAT

92 INVESTMENTS, LLC

212 BOX 683, AVOCA, IOWA 51521

PHASE III

106014

1 OF 3

FOX RUN SUBDIVISION - PHASE III

PROPOSED SUBDIVISION IN COUNCIL BLUFFS, IOWA

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92 INVESTMENTS, LLC

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PHASE III

106014

1 OF 3

FOX RUN SUBDIVISION - PHASE III

PROPOSED SUBDIVISION IN COUNCIL BLUFFS, IOWA

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PHASE III

106014

1 OF 3

FOX RUN SUBDIVISION - PHASE III

PROPOSED SUBDIVISION IN COUNCIL BLUFFS, IOWA

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PHASE III

106014

1 OF 3

FOX RUN SUBDIVISION - PHASE III

PROPOSED SUBDIVISION IN COUNCIL BLUFFS, IOWA

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PHASE III

106014

1 OF 3

FOX RUN SUBDIVISION - PHASE III

PROPOSED SUBDIVISION IN COUNCIL BLUFFS, IOWA

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PHASE III

106014

1 OF 3

FOX RUN SUBDIVISION - PHASE III

PROPOSED SUBDIVISION IN COUNCIL BLUFFS, IOWA

FINAL PLAT

92 INVESTMENTS, LLC

212 BOX 683, AVOCA, IOWA 51521

PHASE III

106014

1 OF 3

1. The engineer shall be responsible for the accuracy of the information furnished to him by the client and for the accuracy of the plan as shown.

2. The engineer shall not be responsible for the accuracy of the information furnished to him by the client if the same is not checked by him.

3. The engineer shall not be responsible for the accuracy of the information furnished to him by the client if the same is not checked by him.

4. The engineer shall not be responsible for the accuracy of the information furnished to him by the client if the same is not checked by him.

5. The engineer shall not be responsible for the accuracy of the information furnished to him by the client if the same is not checked by him.

HMM
H **M** **M**
ASSOCIATES INC.
 640 FIFTH AVENUE, SUITE 200
 PHOENIX, ARIZONA 85001
 PHONE: 602-252-2500

SEP 14 2014
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FINAL PLAT
 92 INVESTMENTS L.L.C.
 P.O. BOX 683, AVOCA, IOWA 51521
 A PROPOSED SUBDIVISION IN COUNCIL BLUFFS, IOWA
FOX RUN SUBDIVISION - PHASE III

PROJECT NO.
 106014
 SHEET
 3 OF 3

EASEMENT SUMMARY:

- PERMANENT STORM SEWER AND DRAINAGE EASEMENTS -
- ALL OF OUTLOTS 1, 2, AND 3.
- A 36.0' WIDE STRIP ALONG THE SOUTH LINES OF LOTS 1 THRU 7.
- A 10.0' WIDE STRIP ALONG THE SOUTH LINES OF LOTS 8 THRU 15 AS SHOWN AND DRAINAGE EASEMENT ALONG THE WEST LINE OF LOT 15 AND THE EAST LINE OF LOT 16.
- A 10.0' WIDE STRIP ALONG THE WEST LINE OF LOT 15 AND THE EAST LINE OF LOT 16.
- A 10.0' WIDE STRIP ALONG THE NORTHWEST LINE OF LOT 28 AND THE SOUTHEAST LINE OF LOT 29.
- A 30.0' WIDE STRIP ALONG THE WEST LINE OF LOT 49.
- A 30.0' WIDE STRIP ALONG THE WEST LINE OF LOTS 48 THRU 63.
- AN IRREGULAR TRACT ALONG THE REAR LINES OF LOTS 35 THRU 46 MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 BEGINNING AT THE SOUTHWEST CORNER OF LOT 14 IN THE FOX RUN LANDING SUBDIVISION, CITY OF COUNCIL BLUFFS, IOWA;
 THENCE NORTH 22 DEGREES 59 MINUTES 05 SECONDS WEST, 125.66 FEET;
 THENCE NORTH 22 DEGREES 59 MINUTES 05 SECONDS WEST, 105.29 FEET;
 THENCE NORTH 22 DEGREES 59 MINUTES 05 SECONDS WEST, 113.29 FEET;
 THENCE NORTH 30 DEGREES 22 MINUTES 30 SECONDS WEST, 104.29 FEET;
 THENCE NORTH 30 DEGREES 22 MINUTES 30 SECONDS WEST, 188.23 FEET;
 THENCE NORTH 30 DEGREES 22 MINUTES 30 SECONDS WEST, 104.29 FEET TO A POINT ON THE EAST LINE OF LOT 14;
 THENCE ALONG SAID EAST LINE, NORTH 35 DEGREES 12 MINUTES 20 SECONDS EAST, 28.49 FEET TO A POINT ON THE SOUTHWEST BOUNDARY OF SAID FOX RUN LANDING SUBDIVISION;
 THENCE SOUTHEASTERLY ALONG SAID BOUNDARY THE FOLLOWING FIVE COURSES:
 • SOUTH 35 DEGREES 10 MINUTES 50 SECONDS WEST, 105.29 FEET;
 • SOUTH 35 DEGREES 10 MINUTES 50 SECONDS WEST, 105.29 FEET;
 • SOUTH 35 DEGREES 10 MINUTES 50 SECONDS WEST, 105.29 FEET;
 • SOUTH 35 DEGREES 10 MINUTES 50 SECONDS WEST, 105.29 FEET;
 • SOUTH 35 DEGREES 10 MINUTES 50 SECONDS WEST, 105.29 FEET;
 THENCE SOUTH 20 DEGREES 10 MINUTES 28 SECONDS EAST, 46.68 FEET TO THE MOST SOUTHERLY WEST LINE OF LOT 19 IN SAID FOX RUN LANDING SUBDIVISION;
 THENCE SOUTH 20 DEGREES 10 MINUTES 28 SECONDS EAST, 46.68 FEET TO A POINT ON THE WEST LINE OF LOT 19 IN SAID FOX RUN LANDING SUBDIVISION;
 THENCE SOUTHERLY AND EASTERLY ALONG SAID BOUNDARY THE FOLLOWING FIVE COURSES:
 • SOUTH 07 DEGREES 38 MINUTES 54 SECONDS WEST, 112.49 FEET;
 • SOUTH 07 DEGREES 38 MINUTES 54 SECONDS WEST, 104.00 FEET;
 • SOUTH 07 DEGREES 38 MINUTES 54 SECONDS WEST, 104.00 FEET;
 • SOUTH 07 DEGREES 38 MINUTES 54 SECONDS WEST, 104.00 FEET;
 • SOUTH 07 DEGREES 38 MINUTES 54 SECONDS WEST, 104.00 FEET;
 THENCE NORTH 81 DEGREES 14 MINUTES 25 SECONDS EAST, 90.67 FEET;
 THENCE NORTH 88 DEGREES 12 MINUTES 26 SECONDS EAST, 49.18 FEET TO THE MOST SOUTHERLY WEST LINE OF LOT 15 IN SAID FOX RUN LANDING SUBDIVISION;
 THENCE ALONG THE WEST LINE OF SAID FOX RUN LANDING SUBDIVISION, SOUTH 28 DEGREES 31 MINUTES 03 SECONDS EAST, 67.54 FEET TO THE NORTHWEST CORNER OF SAID LOT 14;
 THENCE ALONG THE WEST LINE OF SAID LOT 14, SOUTH 08 DEGREES 51 MINUTES 38 SECONDS EAST, 70.87 FEET TO THE POINT OF BEGINNING.
 SAID EASEMENT CONTAINS AN AREA OF 33,666 SQUARE FEET (0.773 ACRES), MORE OR LESS.

CURVE TABLE

| NO. | LENGTH | RADIUS | DELTA | CHORD |
|-----|---------|--------|------------|---------|
| C25 | 330.57 | 520.66 | 036°22'41" | 325.05' |
| C26 | 21.11' | 545.66 | 002°13'00" | 21.11' |
| C27 | 50.00' | 545.66 | 005°15'01" | 49.98' |
| C28 | 61.00' | 545.66 | 006°24'19" | 60.97' |
| C29 | 120.00' | 495.66 | 013°52'17" | 119.71' |
| C30 | 62.00' | 545.66 | 006°30'36" | 61.96' |
| C31 | 52.00' | 545.66 | 005°27'36" | 51.98' |
| C32 | 106.13' | 495.66 | 012°08'10" | 104.93' |
| C33 | 52.00' | 545.66 | 005°27'37" | 51.98' |
| C34 | 48.34' | 545.66 | 005°04'33" | 48.32' |
| C35 | 34.47' | 102.97 | 019°10'40" | 34.31' |
| C36 | 67.49' | 200.66 | 016°24'45" | 67.29' |

CURVE TABLE

| NO. | LENGTH | RADIUS | DELTA | CHORD |
|-----|---------|---------|------------|---------|
| C13 | 42.75' | 225.00' | 010°53'07" | 42.66' |
| C14 | 64.59' | 340.00' | 010°53'07" | 64.50' |
| C15 | 26.90' | 175.00' | 008°48'30" | 26.88' |
| C16 | 105.71' | 200.00' | 030°17'03" | 104.49' |
| C17 | 46.94' | 225.00' | 011°57'09" | 46.85' |
| C18 | 70.93' | 340.00' | 011°57'09" | 70.80' |
| C19 | 65.58' | 175.00' | 021°28'33" | 65.21' |
| C20 | 38.00' | 225.00' | 014°46'08" | 37.84' |
| C21 | 87.64' | 340.00' | 014°46'08" | 87.40' |
| C22 | 13.99' | 225.00' | 003°33'45" | 13.99' |
| C23 | 21.14' | 340.00' | 003°33'45" | 21.14' |
| C24 | 89.57' | 495.66' | 010°21'14" | 89.45' |

CURVE TABLE

| NO. | LENGTH | RADIUS | DELTA | CHORD |
|-----|---------|----------|------------|---------|
| C1 | 98.41' | 630.00' | 008°57'01" | 98.31' |
| C2 | 41.52' | 270.00' | 008°48'41" | 41.48' |
| C3 | 58.64' | 323.39' | 010°23'22" | 58.56' |
| C4 | 26.65' | 104.288' | 001°27'51" | 26.65' |
| C5 | 66.38' | 250.69' | 015°10'17" | 66.19' |
| C6 | 61.81' | 250.69' | 01°07'38" | 61.65' |
| C7 | 58.45' | 250.69' | 01°25'09" | 58.33' |
| C8 | 100.37' | 225.69' | 025°28'55" | 99.55' |
| C9 | 141.70' | 200.69' | 040°27'12" | 138.77' |
| C10 | 6.12' | 200.69' | 001°44'51" | 6.12' |
| C11 | 33.25' | 175.00' | 010°53'07" | 33.20' |
| C12 | 38.00' | 200.00' | 010°53'07" | 37.94' |

- LEGEND**
- FOUND PROPERTY CORNER AS NOTED IN THE DRAWING
 - SET 5/8"x30" REBAR w/2" ALUM. CAP MARKED "HGM ASSOC. PLS 10569"
 - ▨ CITY OF COUNCIL BLUFFS STORM SEWER AND DRAINAGE EASEMENT
 - ▩ EXISTING STORM SEWER AND DRAINAGE EASEMENTS

