



R Fee 30⁰⁰
A Fee _____
T Tax _____

COMPARED

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:

Arthur Camenzind

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:

COMPARED

BILL OF SALE

For the consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, Arthur Camenzind, 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: 2-25-10

Arthur Camenzind

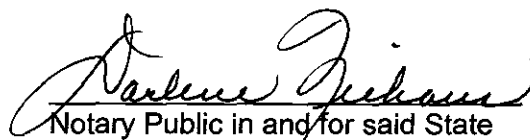
By: Arthur Camenzind
Seller

10406 State Street
Omaha, Nebraska 68122
Phone: 402-571-0522

STATE OF NEBRASKA
COUNTY OF DOUGLAS

)
) ss
)

This instrument was acknowledged before me on Feb. 25, 2010 by Arthur Camenzind.


Notary Public in and for said State

(Seal)

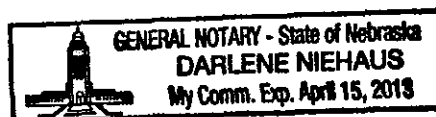


EXHIBIT "1"

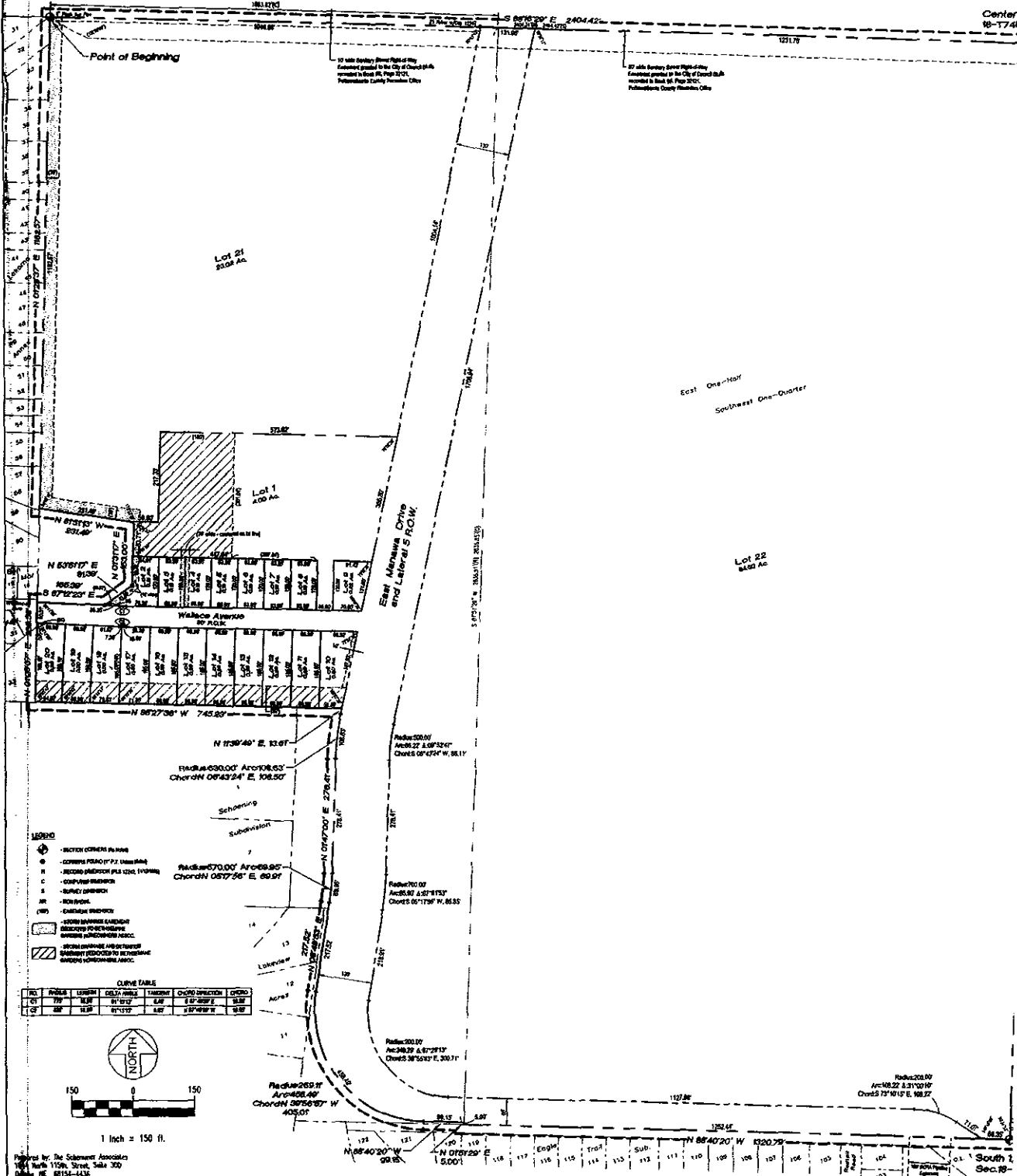
RECORDER'S OFFICE:

GETHSEMANE GARDENS

Part of the Southwest One-Quarter of Section 18,
Township 74 North, Range 43 West of the 5th. P.M.,
Pottawattamie County, Iowa
LOTS 1 THRU 22

West 1/4 Corner
Section 18-T74N-R43W

Center
18-174



Prepared by: The Schlemmer Associates
154 North 112th Street, Salt Lake City, Utah, U.S.A. 84143-4436
Tel: 801.487.4200

JOB NO. 05458.001
SHEET 1 of 2
GETHSEMANE GARDENS
PART OF THE SOUTHWEST ONE-QUARTER
SECTION 18, T74N, R43W
POTTAWATTAMIE COUNTY, IOWA
FINAL PLAN

SCHLEMMER
ARCHITECTS | ENGINEERS | PLANNERS

DESIGNED			
DRAWN	CJR		
CHECKED	WFF		
BOOK	CMC00000 #1		
DATE	03/31/06		
BY		DATE	
CHK		DATE	
APP		DATE	
REVISIONS			

RECORDER'S OFFICE:

GETHSEMANE GARDENS

Part of the Southwest One-Quarter of Section 18,
Township 74 North, Range 43 West of the 5th. P.M.,
Pottawattamie County, Iowa

LEGAL DESCRIPTION

PART OF THE SOUTHWEST ONE-QUARTER OF SECTION 18, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, IOWA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE WEST ONE-QUARTER CORNER OF SAID SECTION 18, THENCE SOUTH 89°42'22" EAST 202.00 FEET TO A POINT ON THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER; THENCE SOUTH 01°51'00" WEST FOR 202.00 FEET ALONG THE EAST LINE OF SAID SOUTHWEST ONE-QUARTER; THENCE NORTH 89°42'22" WEST FOR 132.70 FEET ALONG THE SOUTH LINE OF SAID SOUTHWEST ONE-QUARTER, ALSO BEING THE NORTH LINE OF EAGLE TRAIL SUBDIVISION, AS PLATTED AND RECORDED IN POTTAWATTAMIE COUNTY, IOWA; THENCE THE FOLLOWING EIGHT (8) COURSES ALONG THE SOUTH AND WEST LINES OF AN EASEMENT FOR ROAD AND STORM DRAINAGE IMPROVEMENTS RIGHT-OF-WAY FILED IN BOOK 94, PAGE 32148 IN THE POTTAWATTAMIE COUNTY RECORDERS OFFICE: (1) NORTH 01°02'22" EAST FOR 5.00 FEET (2) NORTH 89°42'22" WEST FOR 64.36 FEET (3) NORTH-WESTERLY ALONG A 200.15 FOOT RADIUS CURVE TO THE RIGHT FOR 48.49 FEET WITH A LONG CHORD BEARING NORTH 30°28'22" WEST FOR 48.49 FEET (4) NORTH 89°42'22" EAST FOR 217.52 FEET (5) NORTHEASTERLY ALONG 82.00 FOOT RADIUS CURVE TO THE LEFT FOR 80.45 FEET WITH A LONG CHORD BEARING NORTH 05°17'00" EAST FOR 65.51 FEET (6) NORTH 01°47'00" EAST FOR 276.41 FEET (7) NORTHEASTERLY ALONG A 630.00 FOOT RADIUS CURVE TO THE RIGHT FOR 104.83 FEET WITH A LONG CHORD BEARING NORTH 05°42'24" EAST FOR 102.30 FEET (8) NORTH 11°30'00" EAST FOR 13.91 FEET; THENCE NORTH 89°27'30" WEST FOR 746.23 FEET ALONG THE EASTERLY EXTENSION OF AND THE NORTH LINE OF SCHEPPING SUBDIVISION, AS PLATTED AND RECORDED IN POTTAWATTAMIE COUNTY, IOWA; THENCE NORTH 01°28'00" EAST FOR 228.55 FEET ALONG THE EAST LINE OF SAID PARCEL ADDITION, AS PLATTED AND RECORDED IN POTTAWATTAMIE COUNTY, IOWA; THENCE THE FOLLOWING FOUR (4) COURSES ALONG THE BOUNDARY OF THE EXCEPTION TO THE PARCEL OF LAND DESCRIBED IN THE COURT ORDER FILED IN BOOK 105, PAGE 22868 IN THE POTTAWATTAMIE COUNTY RECORDERS OFFICE: (1) SOUTH 87°12'22" EAST FOR 165.30 FEET (2) NORTH 03°53'17" EAST FOR 81.30 FEET (3) NORTH 01°31'17" EAST FOR 102.00 FEET (4) NORTH 81°01'19" WEST FOR 231.40 FEET; THENCE NORTH 01°28'37" EAST FOR 182.07 FEET ALONG THE WEST LINE OF SAID SOUTHWEST ONE-QUARTER, ALSO BEING EAST LINE OF LAKOMA AMERICA, AS PLATTED AND RECORDED IN POTTAWATTAMIE COUNTY, IOWA TO THE POINT OF BEGINNING. ABOVE DESCRIBED TRACT CONTAINS 127.81 ACRES, MORE OR LESS.

DEDICATION

KNOW ALL PERSONS BY THESE PRESENTS THAT ARTHUR CAMENZIND, BEING THE SOLE OWNER OF THE PROPERTY DESCRIBED WITHIN THE LEGAL DESCRIPTION AND EMBRACED WITHIN THIS PLAN, HAS CAUSED SAID PROPERTY TO BE SUBDIVIDED AS LOTS 1 THROUGH 22 AND PUBLIC STREET RIGHT-OF-WAY, SAID PROPERTY IS TO BE KNOWN AS GETHSEMANE GARDENS. ARTHUR CAMENZIND DOES HEREBY DEDICATE TO THE CITY OF COUNCIL BLUFFS, IOWA, THE RIGHT-OF-WAY OF WALLACE AVENUE AND EAST MANAWA DRIVE (14.78 ACRES, MORE OR LESS). ARTHUR CAMENZIND DOES HEREBY DEDICATE TO THE CITY OF COUNCIL BLUFFS, IOWA ALL RIGHTS OF DIRECT ACCESS TO EAST MANAWA DRIVE FROM THE LOTS ADJOINING THEREON. ARTHUR CAMENZIND DOES HEREBY DEDICATE A PERPETUAL EASEMENT FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES, 5 FEET EACH SIDE OF ALL SIDE LOT LINES, 10 FEET IN WIDTH ALONG ALL FRONT LOT LINES AND 5 FEET IN WIDTH ALONG ALL REAR LOT LINES. ARTHUR CAMENZIND DOES HEREBY DEDICATE TO THE GETHSEMANE GARDENS HOMEOWNERS ASSOCIATION THE FOLLOWING EASEMENTS: A 60 FOOT WIDE STORM DRAINAGE EASEMENT ALONG THE WESTERLY LINE OF LOT 21, A 10 FOOT WIDE STORM DRAINAGE EASEMENT ALONG THE WESTERLY LINE OF LOTS 1 AND 2, A 20 FOOT WIDE STORM DRAINAGE EASEMENT CENTERED ON THE COMMON LINE BETWEEN LOTS 3 AND 4, A TRIANGULAR SHAPED STORM DRAINAGE EASEMENT AT THE NORTHWEST CORNER OF LOT 20, A 10 FOOT WIDE STORM DRAINAGE EASEMENT ALONG THE EASTERLY LINE OF LOT 18, A STORM DRAINAGE AND DETENTION EASEMENT ALONG THE WESTERLY PORTION OF LOT 1 AND A 80 FOOT WIDE STORM DRAINAGE AND DETENTION EASEMENT ALONG THE SOUTH LINE OF LOTS 10 THROUGH 20. THE DEDICATION OF THESE EASEMENTS SHALL BE SUBJECT TO THE FOLLOWING TERMS AND CONDITIONS:

EASEMENTS RUN WITH THE LAND: THIS EASEMENT SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE BINDING ON ARTHUR R. CAMENZIND, HIS SUCCESSORS AND ASSIGNS.

ERECTOR OF STRUCTURES PROHIBITED: ARTHUR R. CAMENZIND, HIS SUCCESSORS OR ASSIGNS SHALL NOT ERECT ANY STRUCTURE OVER OR WITHIN THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.

CHANGE OF GRADE: ARTHUR R. CAMENZIND, HIS SUCCESSORS OR ASSIGNS SHALL NOT CHANGE THE GRADE, ELEVATION OR THE CONTOURS OF ANY PART OF THE EASEMENT AREA WITHOUT OBTAINING THE PRIOR WRITTEN CONSENT OF THE CITY ENGINEER.

RIGHT OF ACCESS: THE CITY SHALL HAVE THE RIGHT OF ACCESS TO THE EASEMENT AREA AND HAVE ALL RIGHTS OF ingress AND egress REASONABLY NECESSARY FOR THE USE AND ENJOYMENT OF THE EASEMENT AREA HEREBY DESCRIBED.

REMOVAL AND REPLACEMENT: THE COST OF REMOVAL AND REPLACEMENT OF ANY UNAUTHORIZED IMPROVEMENT OR STRUCTURES WITHIN THE EASEMENT AREA, NECESSARIED BY THE EXERCISE OF THE RIGHTS UNDER THIS EASEMENT, SHALL BE BORNE BY ARTHUR R. CAMENZIND, HIS SUCCESSORS OR ASSIGNS.

SURFACE RESTORATION: THE CITIES LIABILITY TO RESTORE THE SURFACE WITHIN THE EASEMENT AREA SHALL BE LIMITED TO GRADING AND SEEDING.

DUTY TO REPAIR: GETHSEMANE GARDENS HOMEOWNER ASSOCIATION AGREES THAT ANY DRAIN TILE, DRIVE OR ACCESS WAY, FENCE, YARD OR OTHER IMPROVEMENT OUTSIDE OF THE EASEMENT AREA WHICH MAY BE DAMAGED AS A RESULT OF ANY ENTRY MADE THROUGH AN EGRESS OF THE GETHSEMANE GARDENS HOMEOWNER ASSOCIATION RIGHT OF ACCESS SHALL BE REPAIRED AT NO EXPENSE TO ARTHUR R. CAMENZIND, HIS SUCCESSORS OR ASSIGNS.

IN WITNESS WHEREOF, I DO HEREBY RATIFY AND APPROVE OF THE DISPOSITION OF THE PROPERTY AS CONTAINED HEREIN.

Arthur R. Camenzind 4-4-08
ARTHUR R. CAMENZIND DATE

WE HEREBY CERTIFY THAT WE WILL MEET ALL EQUAL OPPORTUNITY AND FAIR MARKETING OBJECTIVES CONSISTENT WITH FEDERAL, STATE AND LOCAL LAWS. WE HEREBY CERTIFY THAT THE FOLLOWING DOCUMENTS WILL BE RECORDED WITH THE POTTAWATTAMIE COUNTY RECORDER CONTEMPORANEOUSLY WITH THE FILING OF THE FINAL PLAN.
A. ALL PRIVATE RESTRICTIONS AND/OR COVENANTS, IF ANY, WHICH WILL BE A PART OF THE SUBJECT DEVELOPMENT
B. CERTIFIED RESOLUTION OF EACH GOVERNING BODY APPROVING THE SUBDIVISION OR YAWING THE RIGHT TO REVIEW.

ACKNOWLEDGMENT OF NOTARY

STATE OF Nebraska)
COUNTY OF Douglas)

ON THIS 4 DAY OF April, 2008, BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, QUALIFIED AND COMMISSIONED IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED ARTHUR R. CAMENZIND, PERSONALLY KNOWN BY ME TO BE THE IDENTICAL PERSON WHOSE NAME IS AFFIXED TO THE DEDICATION AND HE DID ACKNOWLEDGE THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED.

Arthur R. Camenzind 04/04/2008
NOTARY PUBLIC DATE



Thomas J. Laska 4-7-08
APPROVED CITY OF COUNCIL BLUFFS MAYOR DATE

Justin R. Dreyfus 4-7-08
CITY CLERK DATE
Mark W. Fredrickson 4/8/07
COMMUNITY DEVELOPMENT DIRECTOR DATE

COUNTY TREASURERS CERTIFICATION

I HEREBY CERTIFY THAT THE PROPERTY INCLUDED IN GETHSEMANE GARDENS IS FREE FROM CERTIFIED TAXES AND CERTIFIED SPECIAL ASSESSMENTS.

Mark W. Fredrickson 4-7-08
POTTAWATTAMIE COUNTY TREASURER DATE

NOTES

A BLANKET PIPELINE RIGHT-OF-WAY EASEMENT COVERS THE EAST ONE-HALF OF THE SOUTHWEST ONE-QUARTER OF SECTION 18, TOWNSHIP 74 NORTH, RANGE 43 WEST OF THE 5TH P.M., POTTAWATTAMIE COUNTY, AS DESCRIBED IN BOOK 872, PAGE 198 IN THE POTTAWATTAMIE COUNTY RECORDERS OFFICE.

ALL CORNERS OF ALL LOTS, ANGLE POINTS AND POINTS OF CURVATURE WILL BE SET WITH IR REBAR WITH CAP STAMPED "PL 8 17108" UNLESS NOTED.

ALL ANGLES ARE 90°00'00" UNLESS NOTED

SURVEYORS CERTIFICATION

I HEREBY CERTIFY THAT THIS LAND SURVEYING DOCUMENT IS BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION AND IS LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF IOWA.



Mark W. Fredrickson
PRINTED OR TYPED NAME: MARK W. FRED
LICENSE NUMBER: 17108
MY LICENSE RENEWAL DATE IS DECEMBER 31
PAGES OR SHEETS COVERED BY THIS SEAL: 1

Prepared by: The Information Association
1004 North 125th, Suite 300
Des Moines, IA 50314-4133
402.363.8800

SUB NO. 05428.001
SHEET 2 of 2

GETHSEMANE GARDENS
PART OF THE SOUTHWEST ONE-QUARTER
SECTION 18, T74N, R43W
POTTAWATTAMIE COUNTY, IOWA
FINAL PLAN



NO.	DATE	BY	REVISION
1	04/04/08	AC	ISSUED FOR RECORD
2	04/07/08	AC	REVISION
3	04/07/08	AC	REVISION
4	04/07/08	AC	REVISION
5	04/07/08	AC	REVISION
6	04/07/08	AC	REVISION
7	04/07/08	AC	REVISION
8	04/07/08	AC	REVISION
9	04/07/08	AC	REVISION
10	04/07/08	AC	REVISION