

COMPARED

FILED FOR RECORD  
POTTAWATTAMIE CO. IA.

REAL ESTATE TRANSFER TAX PAID
STAMP#
\$ 559. <sup>00</sup>
94
RECORDER
2-11-02 Pottawattamie
DATE COUNTY

16216

INST # \_\_\_\_\_  
 RECORDING FEE 15<sup>00</sup>  
 AUDITOR FEE 6<sup>00</sup>  
 RMA FEE 1<sup>00</sup>

02 FEB 11 AM 11:02

JOHN SCIORTINO  
RECORDER

(P)  
24

PREPARED BY: City of Council Bluffs Public Works Department, 209 Pearl Street, Council Bluffs, IA 51503 (712)328-4635  
RETURN TO: Michael Clarey, Public Works, 209 Pearl Street, Council Bluffs, IA 51503

Franklin Ave. Bennett Ave.  
Project FY03-04C  
Parcel 1

WARRANTY DEED

For the consideration of Three Hundred Fifty Thousand and no/100---- (\$350,000.00) -  
---Dollars and other valuable consideration in hand paid by City of Council  
Bluffs, a Municipal Corporation of the State of Iowa, John S. Ghatan and Carolyn  
J. Ghatan, husband and wife, of Los Angeles County, State of California, do hereby  
convey to the City of Council Bluffs real estate in the City of Council Bluffs,  
Pottawattamie County, Iowa.

THE FEE SIMPLE TITLE GRANTED IS TO LAND DESCRIBED AS FOLLOWS:

Part of Lot 5 of Auditors Subdivision of the NW ¼ SW ¼ and part of Lot 5 of  
Auditors Subdivision of the SW ¼ NW ¼ all in Section 32, TWP. 75 N. Range  
43W of the 5<sup>th</sup> p.m., City of Council Bluffs, Pottawattamie County, Iowa, as  
shown on Parcel 1, Acquisition Plat Exhibit "A" 2 pages attached hereto and  
by reference made a part hereof.

This land is being acquired for public purposes through eminent domain and a  
declaration of value is not required. Iowa Code Sec. 428A.1.

EXEMPTION 14

Grantors do hereby covenant with grantees, and successors in interest, that  
grantors hold the real estate by title in fee simple; that they have in good and  
lawful authority to sell and convey the real estate; that the real estate is free  
and clear of all liens and encumbrances except as may be above stated; and  
grantors covenant to warrant and defend the real estate against the lawful claims  
of all persons except as may be above stated. Each of the undersigned hereby  
relinquishes all right of dower, homestead and distributive share in and to the  
real estate.

Dated 9<sup>th</sup>, January, 2002

BY: John S. Ghatan  
John S. Ghatan

BY: Carolyn J. Ghatan  
Carolyn J. Ghatan

Entered for Taxation

FEB 11 2002

Marilyn J. Drake, COUNTY AUDITOR

STATE OF CALIFORNIA )  
) SS.  
COUNTY OF LOS ANGELES)

On this 9<sup>th</sup>, January \_\_\_\_\_, 2002, before me, the undersigned, a  
Notary Public in and for said county and said state, personally appeared John S.  
Ghatan and Carolyn J. Ghatan, to me known to be the persons named in and who  
executed the foregoing instrument, and acknowledged that they executed the same as  
their voluntary act and deed.



[Signature]  
Notary Public in and for said County and State

BK102PG62131

RELOCATE FRANKLIN AVENUE AT BENNETT AVENUE  
 AVENUE  
 PROJECT NO. FY03-04C

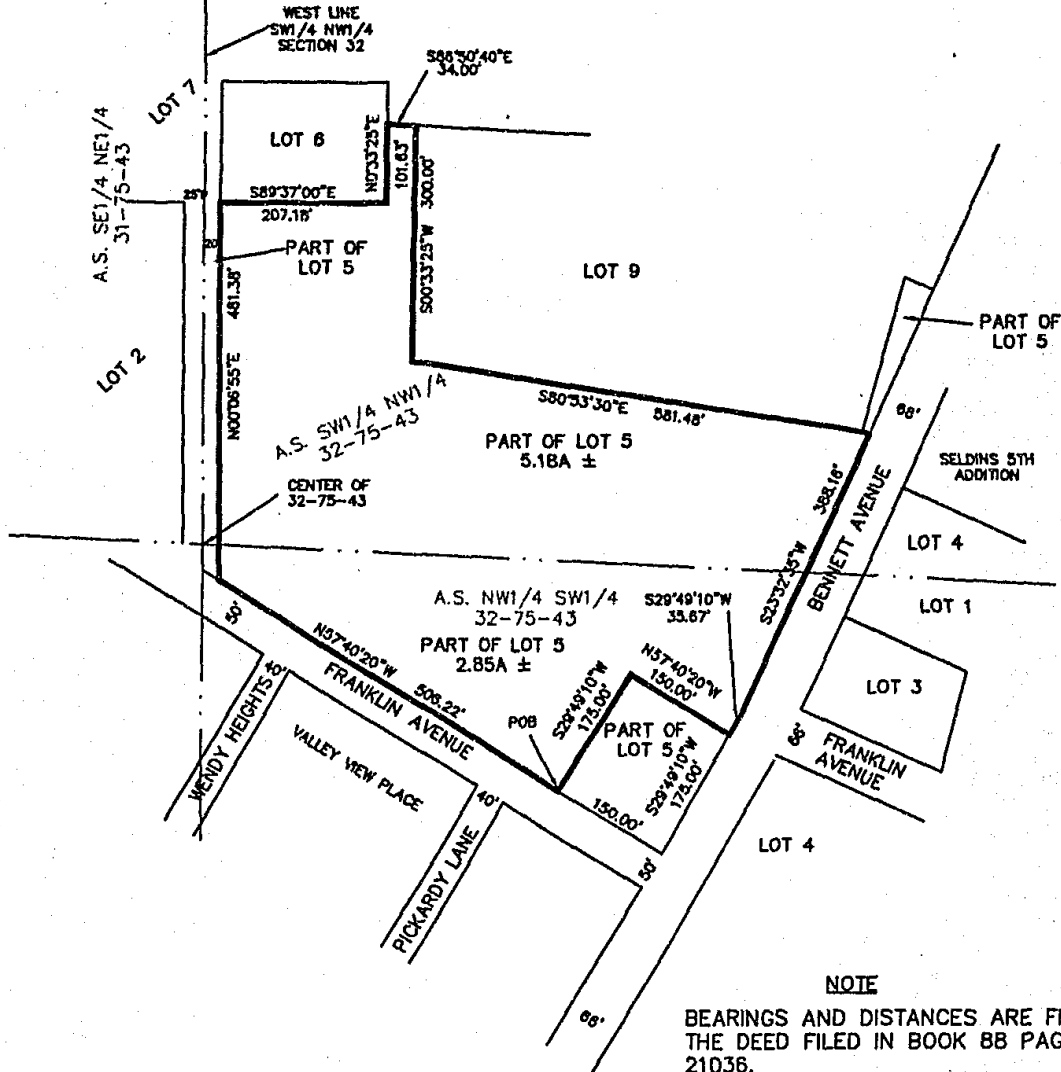
EXHIBIT "A"  
 ACQUISITION PLAT

ACQUIRED FROM JOHN S. GHATAN  
 8.029 ACRES  
 FEE TITLE

COMPARED



SCALE 1"=200'



**NOTE**  
 BEARINGS AND DISTANCES ARE FROM THE DEED FILED IN BOOK 88 PAGE 21036.

CITY OF COUNCIL BLUFFS PUBLIC WORKS DEPT. - ENGINEERING DIV		
SCALE: 1"=200'	APPROVED BY: JMC	DWN. BY: TJS
DATE 11/28/01		
PART OF LOT 5 AUD. SUB. SW NW 32-75-43 PART OF LOT 5 AUD. SUB. NW SW 32-75-43		
		DRAWING NO: 3



I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.  
*Joseph Michael Clarey* 12-27-01  
 JOSEPH MICHAEL CLAREY DATE  
 CITY OF COUNCIL BLUFFS, IOWA  
 License number 10438  
 My license renewal date is December 31, 2001.  
 Page or sheets covered by this sect: 2 of 2

RELOCATE FRANKLIN  
AVENUE AT BENNETT AVENUE  
PROJECT NO. FY03-04C

**COMPARED**

PAGE 2 OF 2  
PARCEL 1

EXHIBIT A

PART OF LOT 5, AUDITOR'S SUBDIVISION IN THE NW ¼ OF THE SW ¼ AND PART OF LOT 5, AUDITOR'S SUBDIVISION IN THE SW ¼ OF THE NW ¼, ALL IN SECTION 32, TOWNSHIP 75 N., RANGE 43 W. OF THE 5<sup>TH</sup> P.M., POTTAWATTAMIE COUNTY, IOWA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF FRANKLIN AVENUE, AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF BENNETT AVENUE; THENCE N. 57° 40' 20" W (ASSUMED BEARING), ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF FRANKLIN AVENUE, A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING N. 57° 40' 20" W, ALONG SAID NORTHEASTERLY RIGHT-OF-WAY LINE OF FRANKLIN AVENUE, A DISTANCE OF 506.22 FEET; THENCE N 00° 06' 55" E., A DISTANCE OF 481.38 FEET; THENCE S 89° 37' 00" E., A DISTANCE OF 207.18 FEET; THENCE N 00° 33' 25" E., A DISTANCE OF 101.63 FEET; THENCE 86° 50' 40" E., A DISTANCE OF 34.00 FEET; THENCE S 00° 33' 25" W A DISTANCE OF 300.00 FEET; THENCE S 80° 53' 30" E., A DISTANCE OF 581.48 FEET; THENCE S 23° 32' 35" W., ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF BENNETT AVENUE, A DISTANCE OF 388.16 FEET; THENCE S 29° 49' 10" W., ALONG SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF BENNETT AVENUE, A DISTANCE OF 35.67 FEET; THENCE N 57° 40' 20" W., A DISTANCE OF 150.0 FEET; THENCE S 29° 49' 10" W., A DISTANCE OF 175.00 FEET TO THE POINT OF BEGINNING, TOGETHER WITH ALL IMPROVEMENTS THEREON, AND APPURTANCES THERETO. SAID TRACT CONTAINS 349,744 SQUARE FEET MORE OR LESS OR 8.029 ACRES, MORE OR LESS.