IOWADOT

Prepared by: Katie A. Johnson, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010, 515-239-1633
Return to: Katie A. Johnson, Office of Right of Way, 800 Lincoln Way, Ames, IA 50010, 515-239-1633
Address Tax Statements: **Tax Exempt - Iowa Code Section 427.1** (Office of Right of Way, 800 Lincoln Way, Ames, IA 50010)

CITY OF COUNCIL BLUFFS, IOWA
QUITCLAIM DEED
TO STATE OF IOWA
IOWA DEPARTMENT OF TRANSPORTATION

The City of Council Bluffs, Iowa, by Matt Walsh, Mayor, acting for the City of Council Bluffs, Iowa, by authority of Iowa Code Section 306.42, hereby quitclaim, grants and conveys unto the **STATE OF IOWA, for the use and benefit of the IOWA DEPARTMENT OF TRANSPORTATION**, all its right, title and interest, however acquired, in all land used as street and highway right of way, all roadway, and all right of way and roadway appurtenances thereto, and any bridges, culverts or structures that may be situated thereon, to the following described roadway situated in Pottawattamie County, Iowa, to-wit:

A part of relocated 29th Avenue located in SE¼ of Section 2, T74N, R44W of the 5th P.M., City of Council Bluffs, Pottawattamie County, Iowa, as shown on Graphic Exhibit attached hereto and by reference made a part hereof, said parcel is more particularly described as follows:

Beginning at the SE Corner of said Section 2, thence N87°52'34"W 860.66 feet along the south line of the SE¼ of said Section 2; thence N1°24'27"E 13.74 feet to a point 1.00 feet north of an existing Noise Wall; thence S87°59'51"E 550.65 feet along a line 1.00 feet adjacent to said Noise Wall; thence S89°12'15"E 310.20 feet along a line 1.00 feet adjacent to said Noise Wall; thence S1°56'17"W 22.09 feet to the Point of Beginning, said parcel contains 13,622 square feet or 0.31 acre.

Title and interest to part of the above described roadway was acquired by the City of Council Bluffs, Iowa, through the following title instrument(s) filed and recorded in the records of Pottawattamie County, Iowa.

	GENERAL LOCATION				
GRANTOR(S)	¼ ¼ SECTIONS LOTS, BLOCKS	SEC-TWP-RNG	TYPE OF INSTRUMENT	DATE FILED	BOOK/PAGE or INST. NO
Original Platting	Railroad Add Blks 86 & 85	2-T74N-R44W	Plat	1854	Book K, Page 40

Title and interest to any remainder of the above described roadway has never been conveyed by title instruments to the City of Council Bluffs, Iowa. All available descriptions, plats, maps, or engineering drawings will be transmitted in accord with Iowa Code Section 306.42(1).

Pottawattamie County Project No. IMN-029-3(217)54--0E-78
Agreement No. 2017-TJ-003

This transfer is subject to the rights of all utilities in possession of any right of way and all rights of ingress and egress whether excepted, reserved, or granted by the transferring authority to land or to owners of land adjacent to the above described roadway.

This transaction is exempt from transfer tax and a Declaration of Value because the State of Iowa is the grantee, pursuant to Iowa Code Section 428A.2(6).

The Grantee for itself, its successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree, as a covenant running with the land, that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this deed for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provisions of similar services or benefits, the Grantee shall maintain and operate such facilities and services in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

That in the event of breach of any of the above nondiscrimination covenants, the Council Bluffs City Council, acting for the City of Council Bluffs, Iowa, shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the City of Council Bluffs, Iowa, and its assigns.

Should Grantee elect to dispose of these premises in the future, Grantee acknowledges that these premises were acquired for highway purposes and therefore any future disposal shall be in accordance with Iowa Code 306.23 in regard to the disposal of highway right of way.

Signed this _____ day of _____, 20___.

CITY OF COUNCIL BLUFFS, IOWA

By: _____(Sign in Ink)
Matt Walsh, Mayor

(AFFIX CITY SEAL ABOVE)

ATTEST:

_____(Sign in Ink)
Jodi Quakenbush, Clerk

STATE OF IOWA, POTTAWATTAMIE COUNTY, ss:

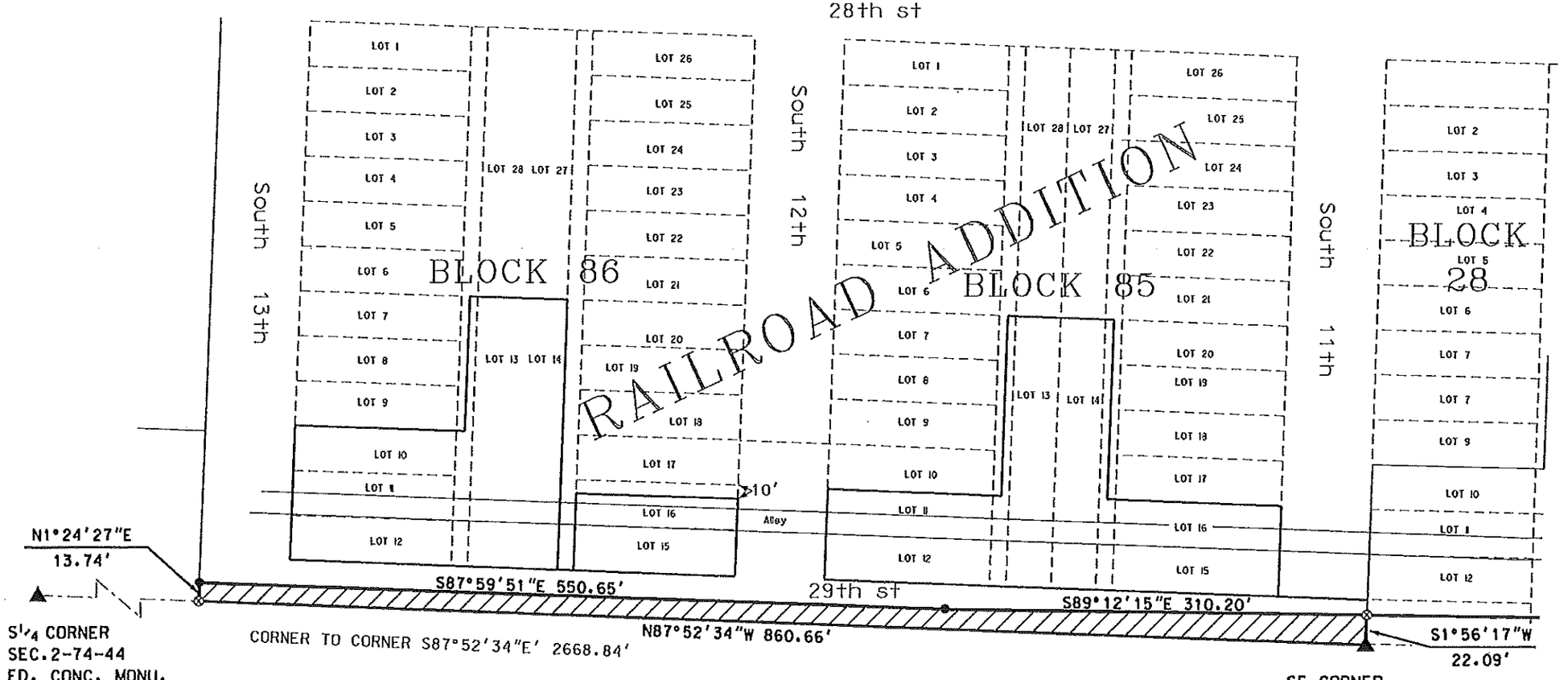
On this _____ day of _____, 20___, before me, the undersigned, a Notary Public in and for the State of Iowa, personally appeared Matt Walsh and Jodi Quakenbush, to me personally known, who, being by me duly sworn, did say that they are the Mayor and City Clerk, respectively, of the City of Council Bluffs, Iowa; that the seal affixed to the foregoing instrument is the corporate seal of the corporation; and that the instrument was signed and sealed on behalf of the corporation, by authority of its City Council, as contained in the Resolution adopted by the City Council, under Roll Call No. _____, on the _____ day of _____, 20___, and that Matt Walsh and Jodi Quakenbush acknowledged the execution of the instrument to be their voluntary act and deed and the voluntary act and deed of the corporation, by it voluntarily executed.

_____(Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

Approved as to form: _____
Richard Wade, City Attorney

COUNCIL BLUFFS, IOWA



LEGEND

- ▲ Found Section Corner
- △ Set Section Corner
- • Set 5/8" Rebar #15482
- o Calculated Point
- ⊗ Found Property Corner
- (R) Record Distance
- (M) Measure Distance
- Culvert/Drain tile Easement Area

0' 50' 100'

SCALE (FEET)
1 INCH = 100 FEET

N

IOWA DEPARTMENT OF TRANSPORTATION

GRAPHIC EXHIBIT

COUNTY **POTTAWATTAMIE** STATE CONTROL NO. _____

PROJECT NO. **IMN-29-3(65)54--0E-78** PARCEL NO. _____

SECTION **2** TOWNSHIP **74N** RANGE **44W**

ROW-FEE _____ SQ. FT. EASE. _____ AC. EXCESS - QUIT CLAIM **13,622** SQ. FT.

ACQUIRED ACCESS RIGHTS FROM STA. _____ TO STA. _____ MAIN LINE _____ SIDE

ACQUIRED FROM **CITY OF COUNCIL BLUFFS**