City of Earlville
P.O. Box 18
Earlville IA
52041-0188

Book 2006 Page 2488

Document 2006 2488 Type 06 018 Pages 2
Date 7/11/2006 Time 9:15:20AM
Rec Amt $12.00

DEBORAH L. PEYTON, RECORDER/REGISTRA
DELAWARE COUNTY IOWA

Prepared By: Kathleen Moench, IDNR, Wallace State Office Bldg., Des Moines, Ia 50319 515-281-3013

When Recorded Return a Copy to:
IDNR, Wallace State Office Bldg., Des Moines Ia 50319

NOTICE OF USE RESTRICTIONS IMPOSED BY STATE ADMINISTRATIVE RULE ON CERTAIN REAL ESTATE

Notice is hereby given that on **November 18, 2003**, an agreement was made between the Iowa Department of Natural Resources and the **City of Earlville, Delaware County, Iowa** to provide state funds for the acquisition or development of real estate legally described as:

DESCRIPTION: **#04-R4-MC, Earlville Conrad Field City Park & Waterway**
(See Legal Description Attached) (page 2)

The state funds provided by the above-mentioned agreement were appropriated pursuant to the Iowa Resources and Enhancement, Chapter 455A, Code of Iowa and administered pursuant to the Resource Enhancement and Protection Program: County, City, and Private Open Spaces Grant Programs, Chapter 33, Iowa Administrative Code. This rule imposes the following restrictions on use of the above-described real estate:

> 33.17(2) Land Disposal. Whenever the department, and, if a city or county, the grantee, determine that land acquired or developed with resource enhancement and protection fund assistance is no longer of value for the program purposes, or that the grantee can show good cause why the land should no longer be used in accord with the approved project purpose; the land may be disposed of with the director's approval and the proceeds therefrom used to acquire or develop an area of equal value, or all grant funds shall be returned to the state for inclusion in the account from which the grant was originally made. If land acquired through the private grant program is determined to be no longer of interest by the state, the proposed dispersal of the property shall be reviewed by the grantee, and the grantee shall have the first right of refusal on an option to take title to the property in question.

The notice will be filed by the **City of Earlville, Delaware County, Iowa** in the office the Recorder of the county in which the subject real estate is located.

IOWA DEPARTMENT OF NATURAL RESOURCES
State Capitol Complex
Des Moines, Iowa 50319-0034

June 12, 2006 By: _____
Date Title: Liz Christiansen, Deputy Director

STATE OF IOWA }
} ss:
COUNTY OF POLK }

On June 12, 2006, A.D., before me, the undersigned, a Notary Public in and for the state of Iowa, personally appeared Liz Christiansen, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that the said Director of the Iowa Department of Natural Resources and that the Director, or the Director's designee, executed the instrument as the voluntary act and deed of the Department and of the Director.

KARYN A. STONE COMMISSION EXP. MY 4-21-09 COMM. NO. 146085 NOTARIAL SEAL IOWA

Karyn A. Stone
NOTARY PUBLIC
in and for the state of Iowa

Legal Description

Property: **#04-R4-MC, Earlville Conrad Field City Park & Waterway**
City of Earlville, Delaware County, Iowa

Lots Three (3) and Four (4), Block Thirteen (13) and all of Blocks Twenty One (21) and Twenty Two (22); also all of the alley in Block Twenty One (21) and the East one-half (E1/2) of the street West of Block Twenty One (21); all in Earlville, Formerly Nottingham, Delaware County, Iowa, according to plat recorded in Book I L.D., Pages 346-347.