Recorded: 2/12/2016 at 11:36:44.0 AM
Fee Amount: $12.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2016 PG: 346

Prepared By: Kathleen Moench, IDNR, Wallace State Office Bldg., Des Moines, Ia 50319 515-725-8213

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 **11/19/2013**, an agreement was made between the Iowa Department of Natural Resources and the **CITY OF MANCHESTER** to provide state funds for the acquisition or development of real estate legally described as:

DESCRIPTION: **#14-R4-ZW, MANCHESTER WHITEWATER PARK DEVELOPMENT, CITY OF MANCHESTER, DELAWARE COUNTY, IA**
(See Legal Description Attached)

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 Chapter 33, Iowa Administrative Code.

> **Developments on the Land.** Developments, paid for with resource enhancement and protection fund assistance, made on this land shall be maintained to support their designated public use in the grant agreement for a period of not less than 25 years (write: month/date). However, within that 25-year period, if the CITY OF MANCHESTER determines the developments are no longer of value for program purposes and the CITY OF MANCHESTER can show good cause why the developments should no longer be used in accordance with the approved project purposes, the developments may be disposed of or substantially altered with the department of natural resources director's approval. If the developments are not maintained to support their designated public use for a minimum of 25 years, all of the original grant funds that were responsible for their funding assistance shall be returned to the state for inclusion in the account from which the grant was originally made. After the 25-year period, the CITY OF MANCHESTER may substantially change or remove the developments after notification of public users and the department of natural resources director.

The notice will be filed by the **CITY OF MANCHESTER, DELAWARE COUNTY, IA** 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

2/10/16 By: _____
Date Title: Deputy Director

Bruce Trautman
Print Name

STATE OF IOWA, POLK COUNTY: This instrument was acknowledged before me on the 10 day of Feb., 20 16, by the Deputy Director of the Iowa Department of Natural Resources.

Karen Fynaardt
NOTARY PUBLIC FOR THE STATE OF IOWA

NOTARIAL SEAL IOWA
KAREN FYNAARDT
COMMISSION NO. 188249
MY COMMISSION EXPIRES
JANUARY 13, 2018

LEGAL DESCRIPTION

Lot Thirteen (13) of Auditor's Plat of Additional and Supplemental Subdivision of Mill Lot 258A City of Manchester, Delaware County, Iowa, as recorded in Book 1 Plats, Page 137, and Lot Ten (10) and Lot Eighteen (18) of said Subdivision of Mill Lot 258A, including the dam and rollways located thereon, together with the water power connected with said dam and flowage rights arising from the construction, maintenance and operation of said dam, and also including the Mill and Power House Buildings located on said premises and all machinery and fixtures therein contained,

Except that part of Lot Ten (10) and Lot Eighteen (18) of Auditor's Plat of Additional and Supplemental Subdivision of Mill Lot 258A bounded on the West by First Street, on the South by Marion Street, and on the Northeast by the low water mark of the Maquoketa River, and

Except Parcel No. Eight (8), being a part of Lot Eighteen (18) of Auditor's Plat of Additional and Supplemental Subdivision of Mill Lot 258A, as set forth on Acquisition Plat – Amended, River Corridor Trail - Phase 1, City of Manchester, Delaware County, Iowa, as recorded in Book 6, Page 210.

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