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BRANDY MACUMBER, COUNTY RECORDER
MADISON COUNTY IOWA

CHEK

515,725.8200 6200 Park Ave Ste 200 Des Moines IA 50321

Prepared By: Kathleen Moench, Iowa Department of Natural Resources

When Recorded Email a Copy to: Iowa DNR – Kathleen Moench, kathleen.moench@dnr.iowa.gov

City of Winterset 124 W Court Ave Winterset IA 50273

**NOTICE OF USE RESTRICTIONS IMPOSED BY FEDERAL LAW
ON CERTAIN REAL ESTATE**

Notice is hereby given that on 7/1/2023, an agreement was made between the Iowa Department of Natural Resources and the CITY OF WINTERSET, to provide federal funds for the acquisition or development of real estate legally described as:

DESCRIPTION: #19-01377, WINTERSET ALL-INCLUSIVE PLAYGROUND
CITY OF WINTERSET
(See Legal Description Attached)

The federal funds provided by the above-mentioned agreement were appropriated pursuant to the Federal Land and Water Conservation Act of 1965, 78 Stat. 897 (1964), P.L. 88-578. This statute, codified in pertinent part as 16 U.S.C. Section 460L(8)(f)(3), imposes the following restrictions on use of the above-described real estate:

NO PROPERTY ACQUIRED OR DEVELOPED WITH ASSISTANCE UNDER THIS SECTION SHALL, WITHOUT THE APPROVAL OF THE (UNITED STATE) SECRETARY (OF INTERIOR), BE CONVERTED TO OTHER THAN PUBLIC OUTDOOR RECREATION USES. THE SECRETARY SHALL APPROVE SUCH CONVERSION ONLY IF HE/SHE FINDS IT TO BE IN ACCORD WITH THE THEN EXISTING COMPREHENSIVE STATEWIDE OUTDOOR RECREATION PLAN AND ONLY UPON SUCH CONDITIONS AS HE/SHE DEEMS NECESSARY TO ASSURE THE SUBSTITUTION OF OTHER RECREATION PROPERTIES OF AT LEAST EQUAL FAIR MARKET VALUE AND OF REASONABLY EQUIVALENT USEFULNESS AND LOCATION.

The notice will be filed by the CITY OF WINTERSET, 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

11/7/2024
Date:

By: Kayla Lyon
Title: Director

Kayla Lyon
Print Name:

STATE OF IOWA, POLK COUNTY: This instrument was acknowledged before me on the 7th day of November, 2024, by the Director of the Iowa Department of Natural Resources.

Jennifer Miller
NOTARY PUBLIC FOR THE STATE OF IOWA



Legal Description

**Project: #19-01377, WINTERSET ALL-INCLUSIVE PLAYGROUND
CITY OF WINTERSET, IA**

Legal: Out Lots Six (6), Seven (7), Eight (8), Thirteen (13) and Fourteen (14) of Laughridge and Cassidy's Addition to the City of Winterset, Madison County, Iowa, **EXCEPT** the Northeast Quarter ($\frac{1}{4}$) of said Out Lot Six (6); **AND** Lots One (1), Seven (7) and Eight (8), **AND** the vacated street located South of said Lots Seven (7) and Eight (8), **AND** that part of the alley located North of said Lots Seven (7) and Eight (8), all in Block Sixteen (16) of Laughridge and Cassidy's Addition to the City of Winterset, Madison County, Iowa; **AND** Lots Two (2) and Three (3) of the Northeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$) of Section Six (6), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., City of Winterset, Madison County, Iowa, as shown in Plat of Survey filed in Deed Record 8, Page 12, on October 25, 1872 in the Office of the Recorder of Madison County, Iowa; **AND** all that part of Lot Two (2) of the Subdivision of the Southeast Quarter ($\frac{1}{4}$) of the Northwest Quarter ($\frac{1}{4}$), the Northeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) and the Southeast Quarter ($\frac{1}{4}$) of the Southwest Quarter ($\frac{1}{4}$) of Section Six (6), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, lying East of the County Highway (now known as Clark Tower Road), as shown in Plat of Survey filed in Plat Book 1, Page 7 in the Office of the Recorder of Madison County, Iowa; **AND** all that part of following described tract of land located in Lot One (1) of the Subdivision of the Northeast Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$) of Section Seven (7), Township Seventy-five (75) North, Range Twenty-seven (27) West of the 5th P.M., Madison County, Iowa, and lying East of the County Highway (now known as Clark Tower Road): Commencing at the Northeast corner of said Northeast Quarter ($\frac{1}{4}$) of the Northwest Fractional Quarter ($\frac{1}{4}$) of said Section Seven (7), running thence South 330 feet, thence West 257.7 feet, thence North 50°45' West 357.7 feet, thence North 27° East 116.5 feet to the North line of said fractional 40 acre tract, thence East on said line 451.8 feet to the place of beginning. City of Winterset, Madison County, Iowa.