STATE OF IOWA BS.	Inst. No. 2690 Filed for Record this 8th day of JUN. 18200 at 3:21P/17 Book 46 Page Recording Fee 3 Michelle Utsler, Recorder, By RUCK TO CONTROL
	Deputy

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

Notice is hereby given that on <u>November 3, 1999</u>, an agreement was made between the lowa Department of Natural Resources and the **Madison CCB**, **Madison County**, **lowa** to provide state funds for the acquisition or development of real estate legally described as:

DESCRIPTION:

#00-R2-61, Glarien Creek Wetland Acq. (See Legal Description Attached)

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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of equal value, or all grant funds shall be returned to the state for inclusion in the account from which the grant was originally made.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 *Madison CCB*, *Madison 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, lowe 50319-0034

1-11-00	Ву:
Date	Title:

Larry U. Wilson, Deputy Director

STATE OF IOWA

COUNTY OF POLK

ss:

On <u>11 January</u>. <u>2000</u>. A.D., before me, the undersigned, a Notary Public in and for the state of lowa, personally appeared Larry J. Wilson, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that the said Larry J. Wilson is the Director of the Jowa Department of Natural Resources and that he executed the instrument as the Voluntary act and deed of the Department and of the Director.

JOHNSON

NOTARY PUBLIC

in and for the state of lowa

to the following described real estate:

The South Half (½) of the Northeast Quarter (¼) and the North Half (½) of the Southeast Quarter (¼) of Section One (1), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa, AND A strip of land 100 feet in width extending over and across the Northeast Quarter (¼) of the Southwest Quarter (¼) and the South Half (½) of the Southwest Quarter (¼) of Section One (1), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., said strip of land being 50 feet in width on each side of the center line of the main tract of the Chicago, St. Paul and Kansas City Railway Company (later the Chicago Great Western Railway Company, now the Chicago and North Western Transportation Company, as said main track center line was originally located and established over and across said Section One (1), Township Seventy-five (75) North, Range Twenty-six (26) West of the 5th P.M., Madison County, Iowa

From the Root of Title to December 1, 1999, at 8:00 A.M.