



PREPARED BY:

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Bishop Henry Whipple Federal Building
1 Federal Drive
Fort Snelling, MN 55111-4056

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IN REPLY REFER TO:

FWS/NWRS-RE
RE-Iowa
Neal Smith NWR (Madison)
Hughes (11C)

MICHELLE "MICKI" UTSLER, COUNTY RECORDER
MADISON IOWA

✓ Jerrold B. Oliver
Jordan, Oliver, & Walters, P.C.
Farmers and Merchants State Bank Building
Post Office Box 230
Winterset, Iowa 50273-0230

OCT 14 2004

COMPUTER	<input checked="" type="checkbox"/>
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COMPARED	<input type="checkbox"/>

Dear Mr. Oliver:

I have reviewed the legal description contained in your letter of July 28, 2004, addressed to Robin and Vickie Seley. Your inquiry pertains to lands located within the SE1/4 of the SE1/4 of Section 9, T. 75 N., R. 29 W., 5th P.M., and more particularly described as follows:

And all that part of the Southeast Quarter (1/4) of the Southeast Quarter (1/4) lying North and East of Middle River more particularly described as follows: commencing at the Northeast corner of said Southeast Quarter (1/4) of the Southeast Quarter (1/4) and running thence West to the Northwest corner thereof, thence South 5.50 chains, thence South 74½° East, 7 chains, thence South 34° East, 7.50 chains, thence South 69° East, 9.66 chains to the East line of said Southeast Quarter (1/4) of the Southeast Quarter (1/4), thence North to the place of beginning, containing 22.48 acres, of Section Nine (9), all in Township Seventy-five (75) North, Range Twenty-nine (29) West of the 5th P.M., Madison County, Iowa

The easement interest to lands in the SE1/4 of the SE1/4 of Section 9, T. 75 N., R. 29 W., 5th P.M. reserved by the United States are more fully described in the quitclaim deed to Larry A. Hughes and Marilyn L. Hughes, recorded November 2, 1990, in Book 128, Page 225, Madison County Iowa.

The easement interest in lands as reserved in the deed to Mr. and Mrs. Hughes pertain only to lands lying South of the Middle River. The United States has no interest in lands lying North of the Middle River. Subsequently, the United States does not have any interest in the lands contained in the legal description as set forth in your letter of July 28, 2004, and as more particularly described herein.

If you should have any questions pertaining to this matter, please give me a call at (612) 713-5460.

Sincerely,

Patrick G. Carroll
Senior Realty Officer

ACKNOWLEDGMENT

STATE OF MINNESOTA)
) SS
COUNTY OF HENNEPIN)

On this 14TH day of October, in the year 2004, before me, the undersigned, a Notary Public in and for the State aforesaid, personally appeared, known to me to be Patrick G. Carroll, Senior Realty Officer, United States Fish and Wildlife Service, who executed the within instrument, and who acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official Notarial Seal the day and year first above written.

Lois A. Lawson
Notary Public, State of MINNESOTA

(SEAL)

My commission expires: JANUARY 31, 2005

