

MICHELLE UTSLER, COUNTY RECORDER  
MADISON IOWA

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

✓ When Recorded Return a Copy to: City of Winterset - John Pletchette  
IDNR - Kathleen Moench, Wallace State Office Bldg., Des Moines Ia 50319

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

Notice is hereby given that on November 4, 2004, 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:** #19-01231 - Winterset Aquatic Center Acquisition  
(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

12/8/05  
Date:

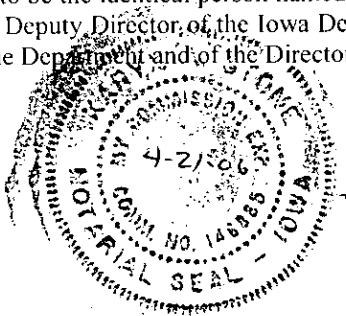
By: [Signature]  
Title: Liz Christiansen, Deputy Director

STATE OF IOWA }

} ss:

COUNTY OF POLK }

On December 8, 2005, A.D., before me, the undersigned, a Notary Public in and for the state of Iowa, personally appeared the Deputy Director, to me known to be the identical person named in and who executed the foregoing instrument and acknowledged that the said Liz Christiansen is the Deputy Director of the Iowa Department of Natural Resources and that he executed the instrument as the voluntary act and deed of the Department and of the Director.



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

**Legal Description**

**Project:** #19-01231 – Winterset Aquatic Center Acquisition  
City of Winterset, Madison County, Iowa

**Legal:** Lot One (1) of Birchwood Estates Plat No. 2, an Addition to the City of  
Winterset, Madison County, Iowa.

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