F2

Return To: Mark J. Parmenter, Lederer Weston Craig PLC, 118 Third Avenue SE, Suite 700, P.O. Box 1927, Cedar Rapids, IA 52406-1927
Preparer: Mark J. Parmenter, Lederer Weston Craig PLC, 118 Third Avenue SE, Suite 700, P.O. Box 1927, Cedar Rapids, IA 52406-1927, (319) 365-1184
Taxpayer: Brainiac Incorporated, 357 Woodland Drive SE, Cedar Rapids, IA 52403

QUIT CLAIM DEED

For the consideration of One Dollar(s) and other valuable consideration, City of Hiawatha, Iowa does hereby Quit Claim to Brainiac Incorporated all right, title, interest, estate, claim and demand, excepting any reserved easements, in the following described real estate in Linn County, Iowa:

SEE ATTACHED EXHIBIT "A"

The City of Hiawatha, Iowa expressly reserves a perpetual twenty four (24) foot Public Ingress/Egress Easement and a perpetual sixteen (16) foot Utility Easement as shown in Exhibit "B" attached hereto.

Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the real estate.

Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated: _____

CITY OF HIAWATHA, IOWA

By_____
Mayor Bill Bennett (Grantor)

STATE OF IOWA, COUNTY OF LINN

This record was acknowledged before me on _____, by City of Hiawatha, Iowa, by Mayor Bill Bennett.

_____
Notary Public, State of Iowa

EXHIBIT "A"

LEGAL DESCRIPTION - PARCEL A

A part of Hiawatha North Fifteenth Addition to Hiawatha, Iowa described as follows:
Beginning at the SW corner of Lot 1, Hiawatha North Twenty-Fifth Addition to said City;
thence N89°26'23"E along the south line of said Lot 1, 303.49 feet to the SE corner of said Lot 1;
thence S00°35'53"E along the east line of said Hiawatha North Fifteenth Addition, 59.92 feet to the NE corner of Lot 1, said Hiawatha North Fifteen Addition;
thence S89°25'30"W along the north line of said Lot 1, Hiawatha North Fifteenth Addition, 303.46 feet to the NW corner of said Lot 1, Hiawatha North Fifteenth Addition;
thence N00°37'30"W along the west line of said Hiawatha North Fifteenth Addition, 60.00 feet to the Point of Beginning, containing 0.42 acres.

EXHIBIT "B"

PLAT OF SURVEY No. 2075
PARCEL A

LEGAL DESCRIPTION - PARCEL A

A part of Hiawatha North Fifteenth Addition to Hiawatha, Iowa described as follows:
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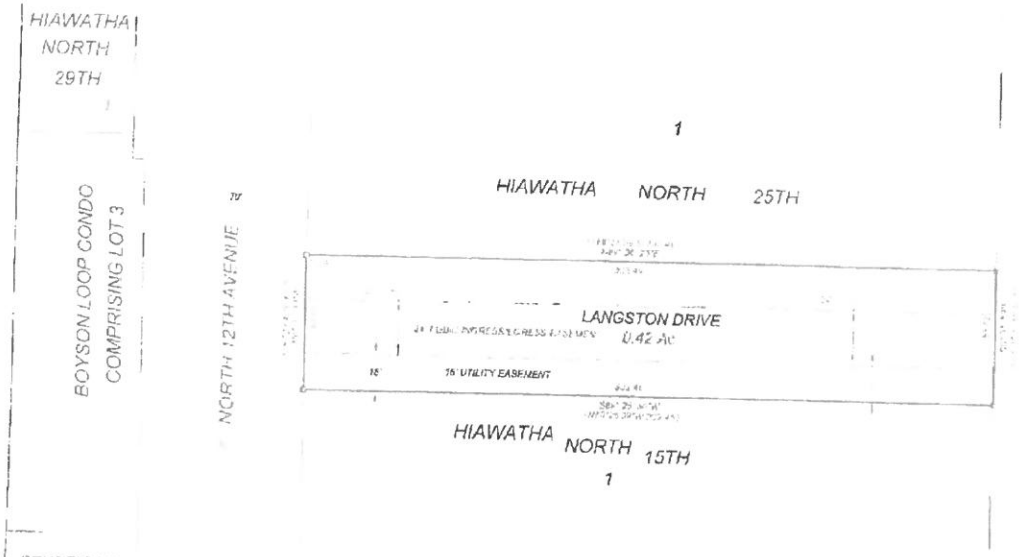
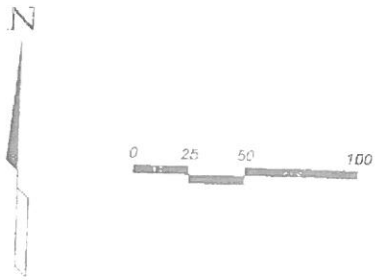
thence N00°37'30"W along the west line of said Hiawatha North Fifteenth Addition, 60.00 feet to the Point of Beginning, containing 0.42 acres.



SURVEYOR: BRAIN ENGINEERING, INC.
1540 MIDLAND COURT NE
CEDAR RAPIDS, IOWA 52402
319-294 9454

PROPRIETOR: CITY OF HIAWATHA, IOWA

- ▲ FOUND SECTION CORNER
- ● FOUND 5/8" REBAR OR AS LABELED
- △ SET SECTION CORNER
- ○ SET 1/2" REBAR W/YPC 9847
- POB POINT OF BEGINNING
- ( ) RECORDED AS
- SCM 4 x 4" CONCRETE POST MONUMENT
- YPC YELLOW PLASTIC CAP



NOTE: ALL MEASUREMENTS IN FEET AND DECIMALS THEREOF.

LICENSED LAND SURVEYOR STEPHEN MICHAEL BRAIN 9847 IOWA

I hereby certify that this land surveying document and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.
Signed: Date: 7/5/16
Stephen Michael Brain, L.S.
My License Renewal Date is December 31, 2016
License Number 9847
Pages or sheets covered by this seal: THIS PAGE

DATE OF SURVEY: 5/23/16

Project No. 15015-10	Title: PLAT OF SURVEY No. 2075 PARCEL A	BRAIN ENGINEERING, INC.	Drawn: SMB 5/31/16 · Book: 327 · Checked: 7/5/16 · Scale: 1"=50'

REAL ESTATE TRANSFER - GROUNDWATER HAZARD STATEMENT

TO BE COMPLETED BY TRANSFEROR

TRANSFEROR:

Name City of Hiawatha, Iowa

Address 101 Emmons Street, Hiawatha, IA 52233

Number and Street or RR | City, Town or P.O. | State | Zip

TRANSFEREE:

Name Brainiac Incorporated

Address 357 Woodland Drive SE, Cedar Rapids, IA 52403

Number and Street or RR | City, Town or P.O. | State | Zip

Address of Property Transferred:

Hiawatha, IA 52233

Number and Street or RR | City, Town or P.O. | State | Zip

Legal Description of Property: (Attach if necessary) SEE ATTACHED EXHIBIT "A"

1. **Wells (check one)**
   - ___ There are no known wells situated on this property.
   - ___ There is a well or wells situated on this property. The type(s), location(s) and legal status are stated below or set forth on an attached separate sheet, as necessary.
2. **Solid Waste Disposal (check one)**
   - ___ There is no known solid waste disposal site on this property.
   - ___ There is a solid waste disposal site on this property and information related thereto is provided in Attachment #1, attached to this document.
3. **Hazardous Wastes (check one)**
   - ___ There is no known hazardous waste on this property.
   - ___ There is hazardous waste on this property and information related thereto is provided in Attachment #1, attached to this document.
4. **Underground Storage Tanks (check one)**
   - ___ There are no known underground storage tanks on this property. (Note exclusions such as small farm and residential motor fuel tanks, most heating oil tanks, cisterns and septic tanks, in instructions.)
   - ___ There is an underground storage tank on this property. The type(s), size(s) and any known substance(s) contained are listed below or on an attached separate sheet, as necessary.

5. **Private Burial Site (check one)**
   ___ There are no known private burial sites on this property.
   ___ There is a private burial site on this property. The location(s) of the site(s) and known identifying information of the decedent(s) is stated below or on an attached separate sheet, as necessary.
6. **Private Sewage Disposal System (check one)**
   ___ All buildings on this property are served by a public or semi-public sewage disposal system.
   ___ This transaction does not involve the transfer of any building which has or is required by law to have a sewage disposal system.
   ___ There is a building served by private sewage disposal system on this property or a building without any lawful sewage disposal system. A certified inspector's report is attached which documents the condition of the private sewage disposal system and whether any modifications are required to conform to standards adopted by the Department of Natural Resources. A certified inspection report must be accompanied by this form when recording.
   ___ There is a building served by private sewage disposal system on this property. Weather or other temporary physical conditions prevent the certified inspection of the private sewage disposal system from being conducted. The buyer has executed a binding acknowledgment with the county board of health to conduct a certified inspection of the private sewage disposal system at the earliest practicable time and to be responsible for any required modifications to the private sewage disposal system as identified by the certified inspection. A copy of the binding acknowledgment is attached to this form.
   ___ There is a building served by private sewage disposal system on this property. The buyer has executed a binding acknowledgment with the county board of health to install a new private sewage disposal system on this property within an agreed upon time period. A copy of the binding acknowledgment is provided with this form.
   ___ There is a building served by private sewage disposal system on this property. The building to which the sewage disposal system is connected will be demolished without being occupied. The buyer has executed a binding acknowledgment with the county board of health to demolish the building within an agreed upon time period. A copy of the binding acknowledgment is provided with this form. [Exemption #9]
   ___ This property is exempt from the private sewage disposal inspection requirements pursuant to the following exemption [Note: for exemption #9 use prior check box]: _____.
   ___ The private sewage disposal system has been installed within the past two years pursuant to permit number _____.

Information required by statements checked above should be provided here or on separate sheets attached hereto:

_____

_____

_____

_____

I HEREBY DECLARE THAT I HAVE REVIEWED THE INSTRUCTIONS FOR THIS FORM AND THAT THE INFORMATION STATED ABOVE IS TRUE AND CORRECT.

Signature: _____ Telephone No.: _____
(Transferor or Agent)

FILE WITH RECORDER

GROUNDWATER HAZARD STATEMENT

ATTACHMENT #1

NOTICE OF WASTE DISPOSAL SITE

a. Solid Waste Disposal (check one)

___ There is a solid waste disposal site on this property, but no notice has been received from the Department of Natural Resources that the site is deemed to be potentially hazardous.

___ There is a solid waste disposal site on this property which has been deemed to be potentially hazardous by the Department of Natural Resources. The location(s) of the site(s) is stated below or on an attached separate sheet, as necessary.

b.. Hazardous Wastes (check one)

___ There is hazardous waste on this property and it is being managed in accordance with Department of Natural Resources rules.

___ There is hazardous waste on this property and the appropriate response or remediation actions, or the need therefore, have not yet been determined.

Further descriptive information:

_____

_____

_____

_____

_____

_____

_____

_____

_____

I HEREBY DECLARE THAT I HAVE REVIEWED THE INSTRUCTIONS FOR THIS FORM AND THAT THE INFORMATION STATED ABOVE IS TRUE AND CORRECT.

Signature: _____ Telephone No.: _____
(Transferor or Agent)

EXHIBIT "A"

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thence N00°37'30"W along the west line of said Hiawatha North Fifteenth Addition, 60.00 feet to the Point of Beginning, containing 0.42 acres.

REAL ESTATE TRANSFER - DECLARATION OF VALUE

Please read the instructions on the reverse side BEFORE completing and filing this form.

Part I - TO BE COMPLETED BY BUYER, SELLER OR AGENT

Date of Instrument: _____ ▲ Deed _1 ☐ Contract _ 2 ☐ ▲

SELLER: City of Hiawatha, Iowa Phone: (319) 393-1515 ▲

Seller Address: 101 Emmons Street, Hiawatha, IA 52233 e-mail: _____

BUYER: Brainiac Incorporated Phone: _____ ▲

Buyer Address: 357 Woodland Drive SE, Cedar Rapids, IA 52403 e-mail: _____

Address of Property Conveyed: Hiawatha, IA 52233

Legal Description: SEE ATTACHED EXHIBIT "A"

Type of Sale: ☐ Sale between related parties/family ☐ Sale of partial interest ☐ Trade ☐ Quit Claim Deed ☐ Auction

Was this a sale of AG LAND to: ☐ Corporation ☐ Trust ☐ Alien ☐ Non-Resident Alien ☐ Limited Partnership ▲

DECLARATION OF VALUE STATEMENT

1. Total Amount Paid $ 10,000.00
2. Amount Paid for Personal Property (see instructions) $ _____
3. Amount Paid for Real Property Only (1 minus 2) $ 10,000.00 ▲

I HEREBY DECLARE THAT THE INFORMATION CONTAINED IN PART I OF THIS FORM IS TRUE AND CORRECT AS DETAILED ON THE BACK OF THIS FORM .

Printed Name: _____ Phone #: _____

_____ ☐ Buyer or ☐ Seller or ☐ Agent or ☐ Attorney

Signature

PART II - TO BE COMPLETED BY THE ASSESSOR

Primary Classification: ☐ Res _4_ ☐ Com _5_ ☐ Ind _2_ ☐ Ag _1_ ☐ MultiRes _7_ City/Township _____ ▲

Primary Parcel Number _____ ▲ YearBlt _____ Occ _____ NUTC _____ ▲

Classification	Land	Building	Dwelling	Total
Residential				
Commercial				
Industrial				
Agricultural				
Multi Residential				

▲

Comments: _____

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LWC
LEDERER WESTON CRAIG PLC
www.lwclawyers.com

James P. Craig
Megan R. Dimitt
Kent A. Gummert
Kimberly K. Hardeman
Gregory M. Lederer
Mark J. Parmenter
Brenda K. Wallrichs
Benjamin M. Weston
J. Michael Weston

July 14, 2016

CLOSING STATEMENT

Real Estate Description: SEE ATTACHED EXHIBIT "A'

Physical Address: Hiawatha, IA 52233

Sellers: City of Hiawatha

Buyer: Brainiac Incorporated

SELLER'S CLOSING STATEMENT

Purchase Price:	$10,000.00
AMOUNT DUE SELLER	$10,000.00

SELLER:

City of Hiawatha, Iowa

By:_____
Bill Bennett, Mayor

BUYER:

Brainiac Incorporated

By:_____

118 Third Avenue SE, Suite 700
P.O. Box 1927 • Cedar Rapids, IA 52406
Phone: 319-365-1184 • Fax: 319-365-1186

4401 Westown Parkway, Suite 310
West Des Moines, IA 50266
Phone: 515-224-3911 • Fax: 515-224-2698

Please respond to Cedar Rapids office

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thence N00°37'30"W along the west line of said Hiawatha North Fifteenth Addition, 60.00 feet to the Point of Beginning, containing 0.42 acres.

DRAFT

Prepared/Return to City of Hiawatha, Kelly Kornegor, 101 Emmons Street Hiawatha, Iowa 52233, Phone: 319-393-1515

RESOLUTION NO. 16-
City Council

RESOLUTION ACCEPTING QUIT CLAIM DEED AND RELATED DOCUMENTS FOR THE SALE OF A PORTION OF CITY OWNED RIGHT-OF-WAY ON LANGSTON DRIVE DESCRIBED AS PARCEL A, PLAT OF SURVEY NO. 2075, IN CONNECTION WITH A NEW COMMERCIAL DEVELOPMENT LOCATED AT 1195 BOYSON ROAD

WHEREAS, on July 6, 2016, City Council passed Resolution #16-146, approving the sale of a 0.42 acre portion of Langston Drive right-of-way, described as Parcel A, Plat of Survey No. 2075, to Brainiac Incorporated with a purchase price of $10,000.00, in connection with a new three story commercial building project on the property located at 1195 Boyson Road, and

WHEREAS, the sale of real estate includes the following documents: Quit Claim Deed, Real Estate Transfer – Groundwater Hazard Statement, and Real Estate Transfer – Declaration of Value attached hereto, and

WHEREAS, the City Council authorizes the Mayor to execute the Quit Claim Deed and all related documents named in this resolution on behalf of the City of Hiawatha, and

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIAWATHA, IOWA, to accept and place on file the Quit Claim Deed, Real Estate Transfer – Groundwater Hazard Statement, and Real Estate Transfer – Declaration of Value for a portion of Langston Drive right-of-way, described as Parcel A, Plat of Survey No. 2075, sold by the City of Hiawatha to Brainiac Incorporated. The City Clerk is hereby directed to record said Quit Claim Deed and related documents in the Linn County Recorder's Office.

AYES:
NAYS:
ABSENT:

PASSED AND APPROVED this 20th day of July, 2016.

_____
Bill Bennett, Mayor

ATTEST:

_____
Kelly Kornegor, City Clerk

I, Kelly Kornegor, City Clerk of the City of Hiawatha, Iowa, do hereby certify that the within and foregoing offer was duly approved and accepted by the City Council of the City of Hiawatha, by Resolution No. 16-__ and said resolution passed and approved on the 20th day of July, 2016.

_____
Kelly Kornegor, City Clerk