

Recorded: 7/31/2023 at 10:54:22.0 AM
County Recording Fee: \$17.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$20.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 1778



Prepared by & Return To: Maura M. Miller, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-239-1029
Address Tax Statements: Tax Exempt-IA Code Sec. 427.2 Iowa DOT, ROW-Property Management, 800 Lincoln Way, Ames, IA 50010

EASEMENT FOR PUBLIC HIGHWAY

For the consideration of TEN THOUSAND FOUR HUNDRED EIGHTY AND NO/100----- (\$10,480.00)-----DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **GILBERT A. HOFFMANN AND MAUREEN E. HOFFMANN**, HUSBAND AND WIFE, do hereby grant to the **STATE OF IOWA**, a permanent easement for road purposes and for use as a Public Highway in, to, on, over and across the following described real estate in Delaware County, Iowa:

THE EASEMENT GRANTED FOR HIGHWAY PURPOSES IS TO LAND DESCRIBED AS FOLLOWS:

A parcel of land located in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 5, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the Southwest corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 5, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa; thence North 01°37'00" East 283.38 feet along the West line of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 5; thence South 88°23'00" East 44.32 feet to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence North 01°49'20" East 1016.85 feet along said existing Easterly right of way line to the existing Southerly right of way line of 165th Street; thence South 89°33'58" East 17.50 feet along said existing Southerly right of way line; thence South 01°30'45" East 252.44 feet; thence South 03°32'39" West 459.49 feet; thence South 02°45'18" East 136.44 feet; thence South 11°35'23" West 172.48 feet to the Point of Beginning, containing 0.54 acres more or less.

Note: The West line of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 5, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa is assumed to bear North 01°37'00" East.

This easement, and a certain Easement, to Delaware County, Iowa, executed by the above named grantors are given in fulfillment of a certain Purchase Agreement dated July 10, 2023, and recorded in the Delaware County Recorder's Office on July 11, 2023, at Book 2023, Page 1583, except for those terms that survive the execution of this document.

The additional amount of \$ 35.00, as agreed to by the aforesaid Agreement, is paid as severance damages to the remaining property and is not subject to real estate transfer tax.

This easement and transfer is exempt from transfer tax. Iowa Code Sec. 428A.2(17).

This easement is being acquired for public purposes through eminent domain and a Declaration of Value is not required. Iowa Code Sec. 428A.1.

Grantors do hereby covenant with grantees, and successors in interest, that grantors hold the real estate by title in fee simple; that they have good and lawful authority to grant an easement on the real estate; and grantors covenant to warrant and defend the real estate against the lawful claims of all persons except as may be above stated. Each of the undersigned hereby relinquishes all rights of dower, homestead and distributive share in and to the easement.

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 June 14, 2023

Gilbert A. Hoffmann (Sign in Ink)
Gilbert A. Hoffmann

Maureen E. Hoffmann (Sign in Ink)
Maureen E. Hoffmann

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on June 14, 2023
by Gilbert A. Hoffmann and Maureen E. Hoffmann.



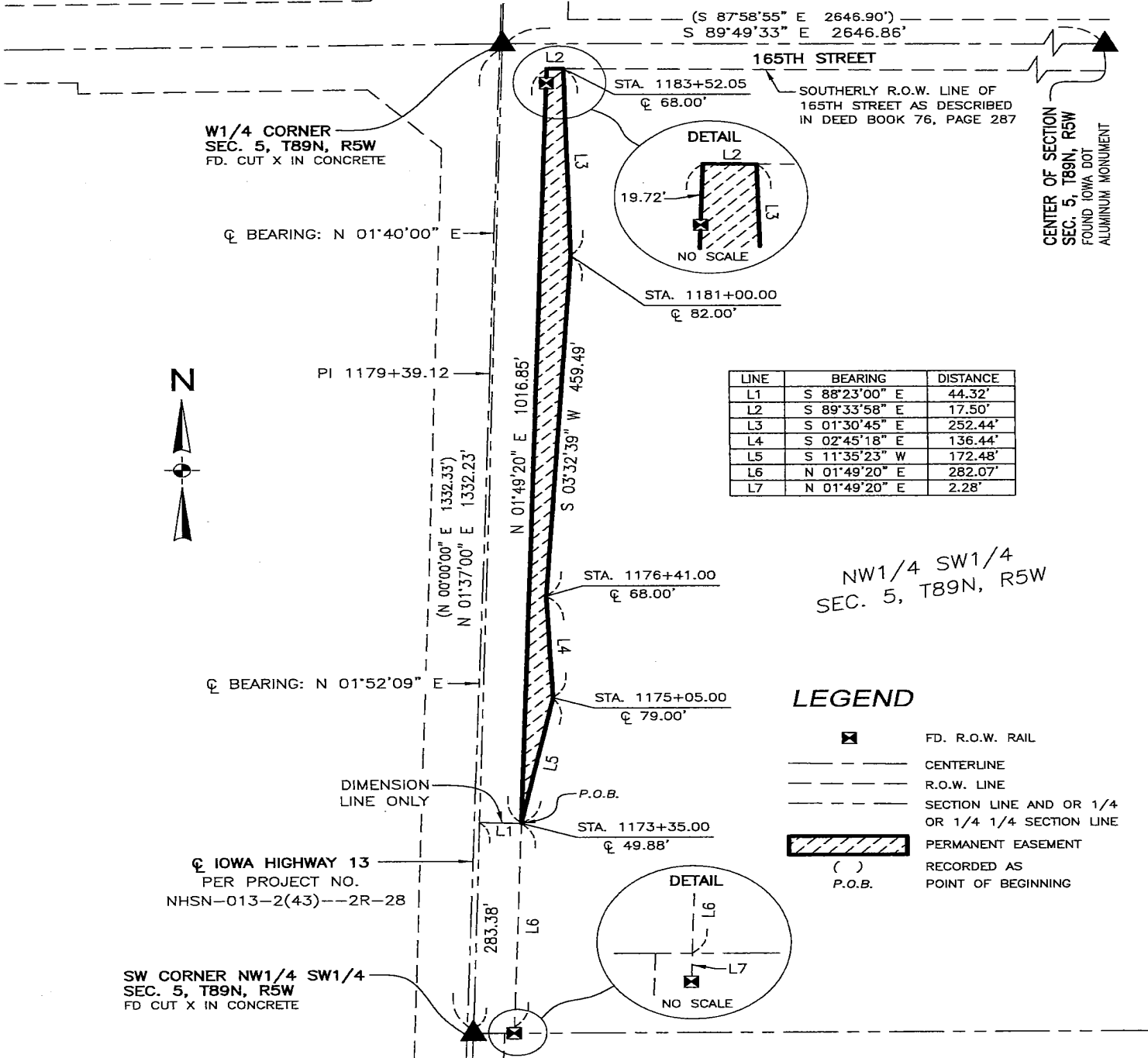
[Signature] (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

Iowa Department of Transportation
ACQUISITION PLAT
EXHIBIT "A"



COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 28
 SECTION 5 TOWNSHIP 89 NORTH RANGE 5 WEST
 ROW-FEE _____ AC, EASE 0.54 +/- AC EXCESS-FEE _____ AC
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ MAIN LINE _____ SIDE
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ SIDE ROAD _____ SIDE
 ACQUIRED FROM _____

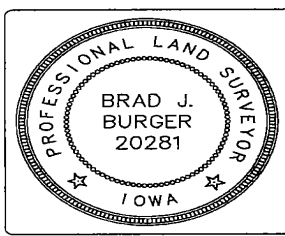


| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| L1 | S 88°23'00" E | 44.32' |
| L2 | S 89°33'58" E | 17.50' |
| L3 | S 01°30'45" E | 252.44' |
| L4 | S 02°45'18" E | 136.44' |
| L5 | S 11°35'23" W | 172.48' |
| L6 | N 01°49'20" E | 282.07' |
| L7 | N 01°49'20" E | 2.28' |

LEGEND

- FD. R.O.W. RAIL
- CENTERLINE
- R.O.W. LINE
- SECTION LINE AND OR 1/4 OR 1/4 1/4 SECTION LINE
- PERMANENT EASEMENT
- () RECORDED AS POINT OF BEGINNING

NW1/4 SW1/4
SEC. 5, T89N, R5W



I hereby certify that this land surveying document was prepared 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.

Brad J. Burger 8/10/2022
 BRAD J. BURGER LICENSE NO. 20281 DATE
 My license renewal date is December 31, 2022.

Pages or sheets covered by this seal: This page only

