

Recorded: 7/31/2023 at 10:54:23.0 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: 1779



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 Delaware County Engineer's Office, 2139 IA-38,  
Manchester, IA 52057, 563-927-3505

## EASEMENT FOR PUBLIC HIGHWAY

For the consideration of THREE HUNDRED NINETY AND NO/100-----(\$390.00)-----  
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 **DELAWARE COUNTY, 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 NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 5, Township 89  
North, Range 5 West of the 5<sup>th</sup> 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 W $\frac{1}{4}$  corner of Section 5, Township 89 North, Range 5  
West of the 5<sup>th</sup> P.M., Delaware County, Iowa; thence South 89°49'33" East  
64.65 feet along the North line of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section 5;  
thence South 00°10'27" West 33.29 feet to the existing Southerly right of  
way line of 165<sup>th</sup> Street and the Point of Beginning; thence South 89°33'58"  
East 56.76 feet along said existing Southerly right of way line; thence South  
68°46'17" West 36.57 feet; thence South 50°43'44" West 28.21 feet; thence  
North 01°30'45" West 31.54 feet to the Point of Beginning, containing 0.02  
acres more or less.

**Note:** The North line of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of Section 5, Township 89  
North, Range 5 West of the 5<sup>th</sup> P.M., Delaware County, Iowa is assumed to  
bear South 89°49'33" East.

This easement, and a certain Easement, to the State of 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.

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, 2022

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, 2022  
by Gilbert A. Hoffman and Maureen E. Hoffmann.



[Signature] (Sign in Ink)  
Notary Public.

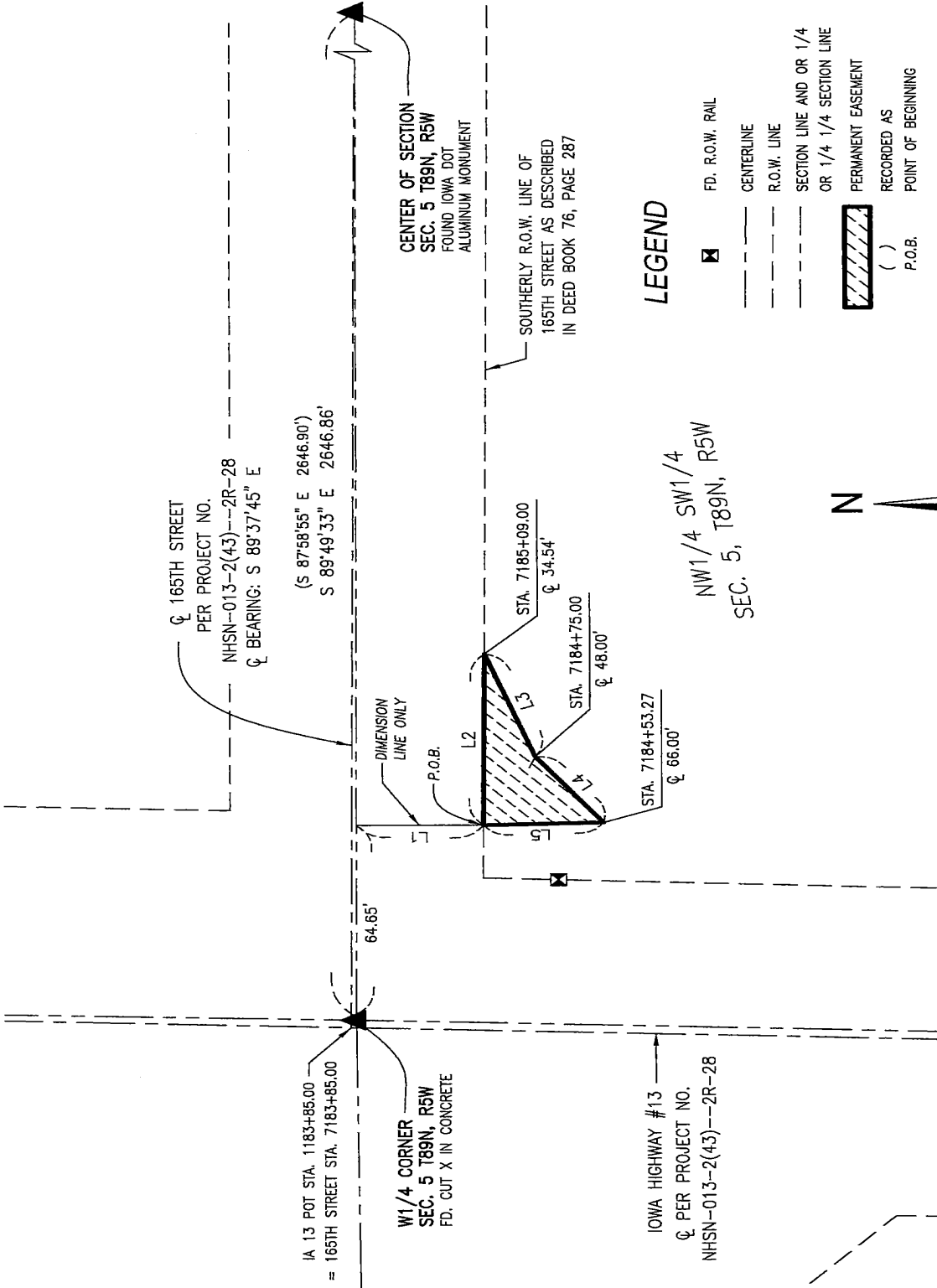
(AFFIX NOTARIAL SEAL ABOVE ▲)

Iowa Department of Transportation  
ACQUISITION PLAT  
EXHIBIT "A"



COUNTY DELAWARE STATE CONTROL NO. 28  
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 28  
 SECTION 5 TOWNSHIP 89 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC, EASE \* 0.02 +/- AC EXCESS-FEE \_\_\_\_\_ AC  
 ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE \_\_\_\_\_  
 ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ SIDE ROAD \_\_\_\_\_ SIDE \_\_\_\_\_  
 ACQUIRED FROM \_\_\_\_\_

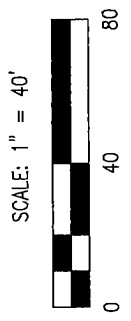
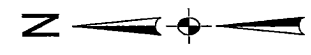
\* ACQUIRED IN THE NAME OF DELAWARE COUNTY



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 P.O.B.
- ( ) POINT OF BEGINNING

LINE	BEARING	DISTANCE
L1	S 00°10'27" W	33.29'
L2	S 89°33'58" E	56.76'
L3	S 68°46'17" W	36.57'
L4	S 50°43'44" W	28.21'
L5	N 01°30'45" W	31.54'



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 sect: \_\_\_\_\_ This page only \_\_\_\_\_