

Recorded: 7/31/2023 at 10:54:24.0 AM
County Recording Fee: \$32.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$35.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 1780



Prepared by & Return To: Maura M. Miller, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-239-1029

AMENDMENT TO MANURE APPLICATION AGREEMENT

That Gilbert A. Hoffmann and Maureen E. Hoffman (Grantors) and Robert J. Ries and Jennifer L. Ries (Grantees) and John G. Hoffman (Grantors' Agent) do hereby jointly amend a certain Manure Application Agreement recorded on May 29, 2018, in Book 2018, Page 1466 in the Delaware County Recorder's Office, by excepting therefrom the following described real estate in Delaware County, Iowa:

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" (1 of 2) and (2 of 2), 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.

and,

Commencing at the W $\frac{1}{4}$ corner of Section 5, Township 89 North, Range 5 West of the 5th 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 165th 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 5th P.M., Delaware County, Iowa is assumed to bear South 89°49'33" East.

NOTE: The remaining real estate described in said Manure Application Agreement is unaffected by this amendment, and all other terms of said Agreement shall remain in full force and effect.

Dated 6/14, 2023

GRANTORS:

Gilbert A. Hoffmann
Gilbert A. Hoffmann

Maureen E. Hoffmann
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]
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

GRANTORS' AGENT:

John G. Hoffmann
John G. Hoffmann

STATE OF Iowa, COUNTY OF Delaware ss:

This instrument was acknowledged before me on June 13, 2023, by John G. Hoffmann.



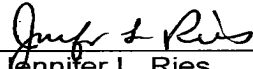
[Signature]
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

GRANTEES:



Robert J. Ries

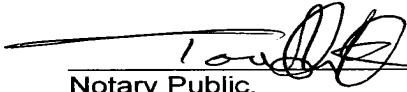


Jennifer L. Ries

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on June 14, 2023 by Robert J. Ries and Jennifer L. Ries.





Notary Public.

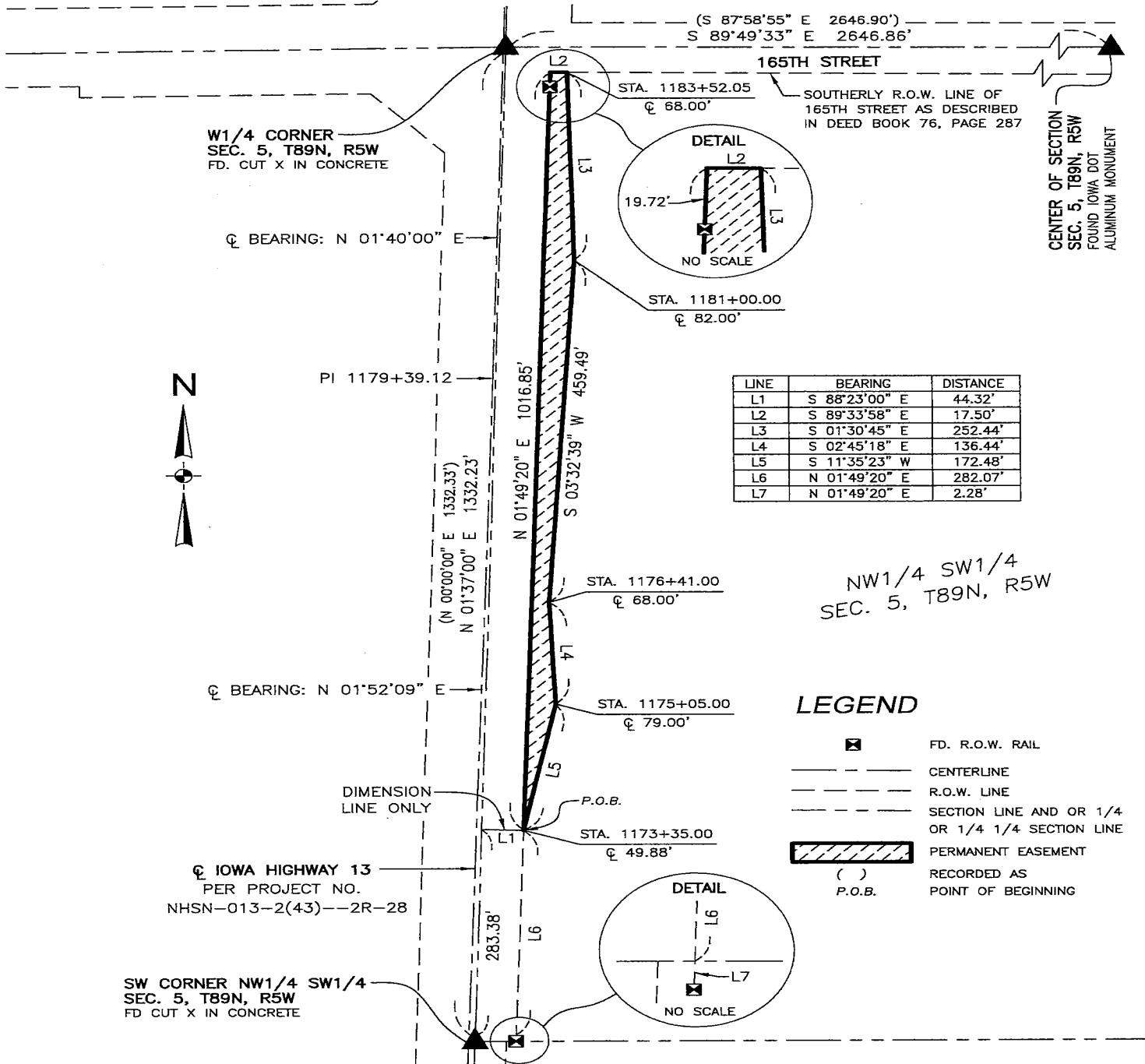
(AFFIX NOTARIAL SEAL ABOVE ▲)

Iowa Department of Transportation

ACQUISITION PLAT EXHIBIT "A" (1 of 2)



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'

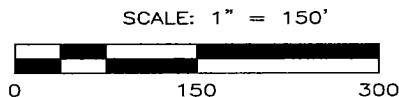
LEGEND

- 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



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



Iowa Department of Transportation

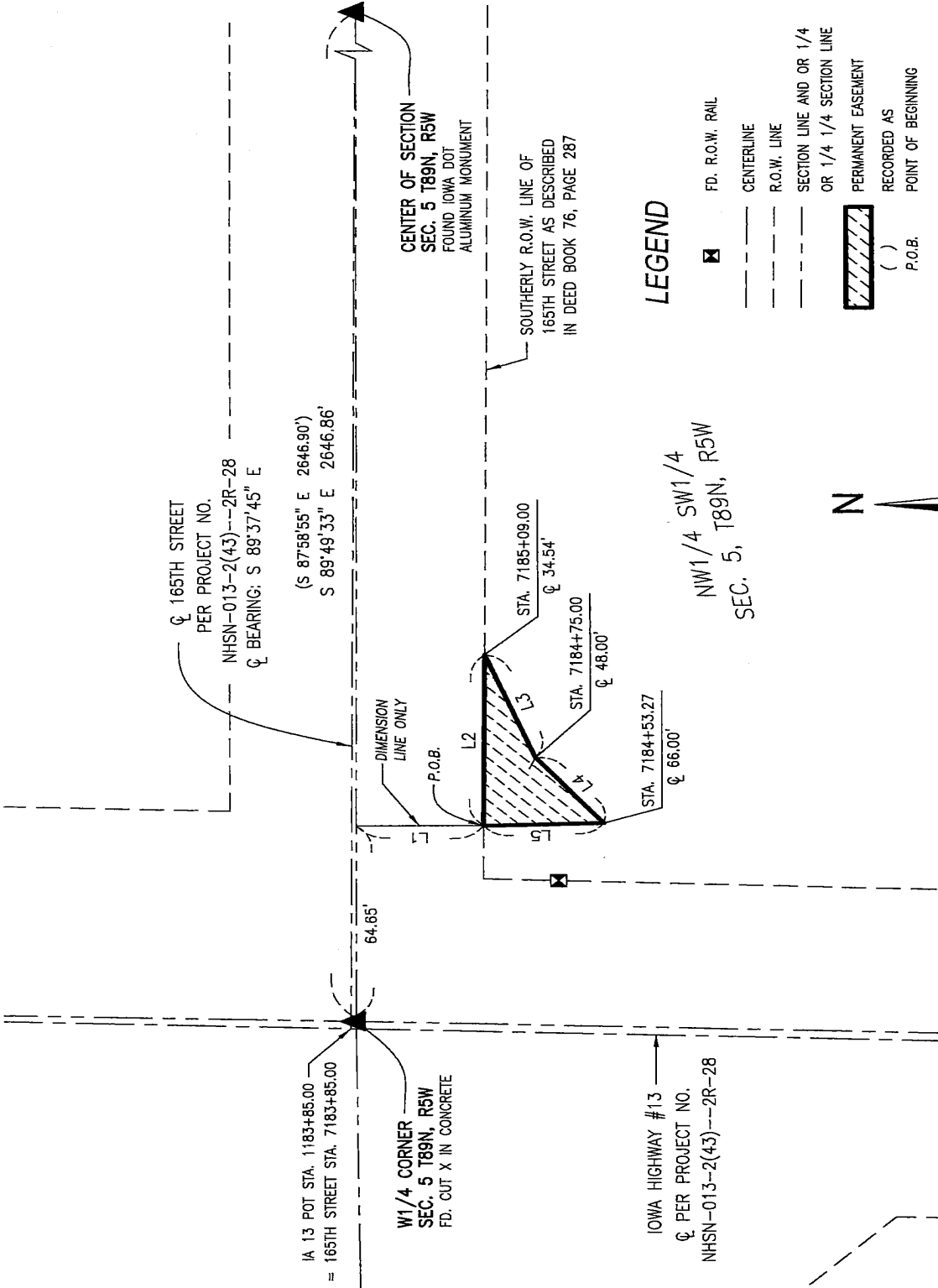
ACQUISITION PLAT

EXHIBIT "A" (2 of 2)



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 * 0.02 +/- AC EXCESS-FEE _____ AC
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ MAIN LINE _____ SIDE _____
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ SIDE ROAD _____ SIDE _____
 ACQUIRED FROM _____

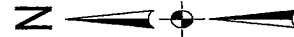
* ACQUIRED IN THE NAME OF DELAWARE COUNTY



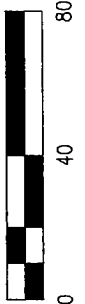
LEGEND

- ☒ FD. R.O.W. RAIL
- CENTERLINE
- R.O.W. LINE
- SECTION LINE AND OR 1/4 OR 1/4 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'



SCALE: 1" = 40'



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 acq: _____ This page only _____