

Recorded: 7/31/2023 at 11:04:12.0 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: 1781



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 FOUR HUNDRED AND NO/100-----(\$400.00)-----DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **GREGORY A. FUNKE AND VALERIE K. FUNKE**, 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 NW $\frac{1}{4}$ of Section 17, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa, also being part of Parcel A as recorded in Plat Book 7, Page 119 in the Office of the Delaware County Recorder, 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 Northeast corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 17, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa; thence South 02° 10' 20" East 955.77 feet along the East line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 17 to the Northeast corner of Parcel A as recorded in Plat Book 7, Page 119 in the Office of the Delaware County Recorder; thence South 87° 49' 20" West 33.00 feet along the North line of said Parcel A to the existing Westerly right of way line of Iowa Highway 13 and the Point of Beginning; thence South 02° 10' 20" East 81.64 feet along said existing Westerly right of way line; thence North 13° 56' 46" West 83.39 feet to the North line of said Parcel A; thence North 87° 49' 20" East 17.02 feet along the North line of said Parcel A to the Point of Beginning, containing 0.02 acres more or less.

Note: The East line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 17, Township 89 North, Range 5 West, of the 5th P.M., Delaware County, Iowa is assumed to bear South 02° 10' 20" East.

This easement is 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 1590, except for those terms that survive the execution of this document.

The additional amount of \$ 3,602.00, 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.

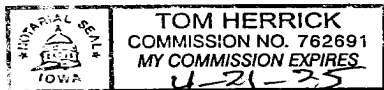
Dated June 13, 2023

Gregory A. Funke (Sign in Ink)
Gregory A. Funke

Valerie K. Funke (Sign in Ink)
Valerie K. Funke

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on June 13, 2023 by Gregory A. Funke and Valerie K. Funke.



[Signature] (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

Iowa Department of Transportation

ACQUISITION PLAT
EXHIBIT "A"



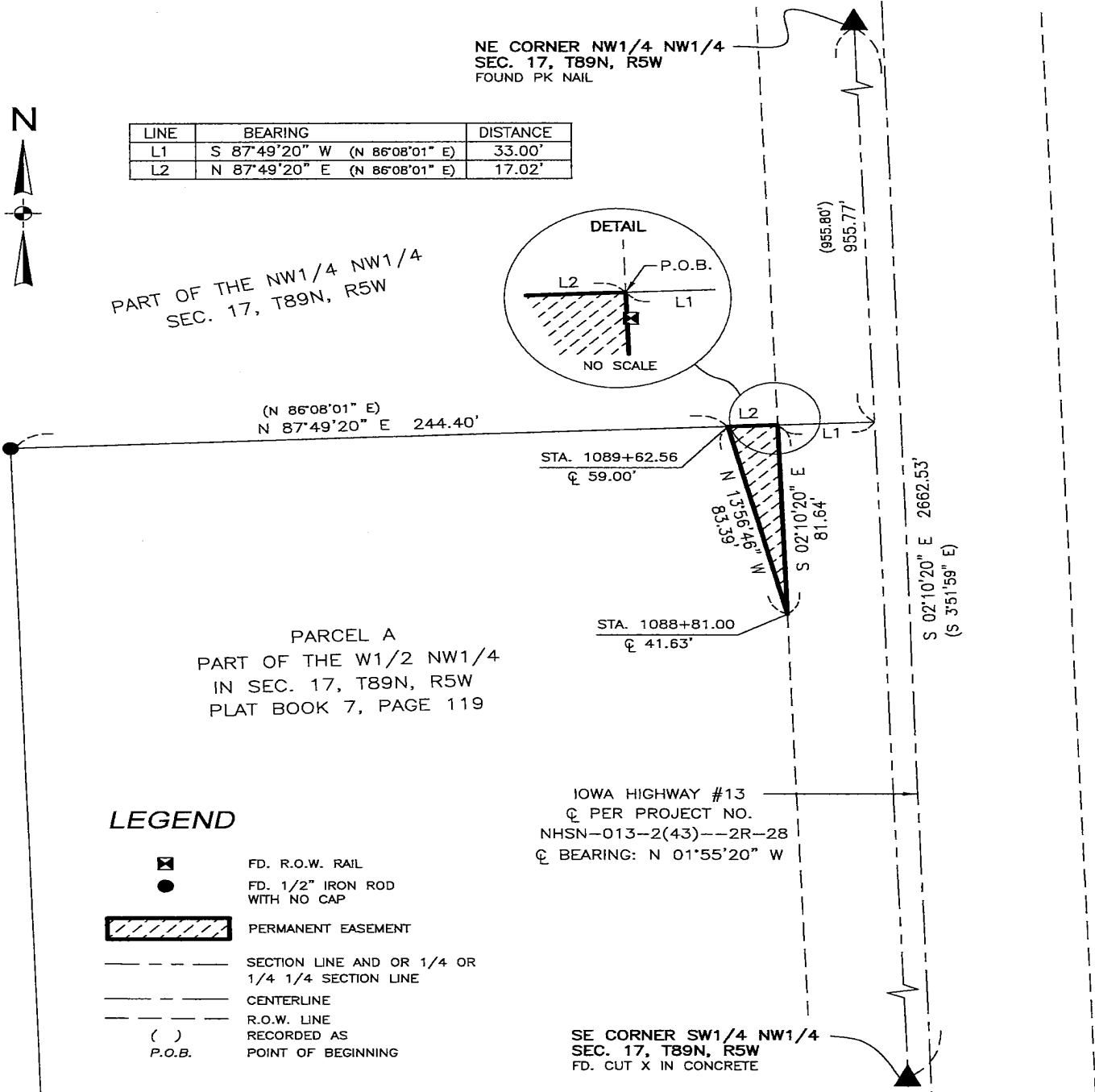
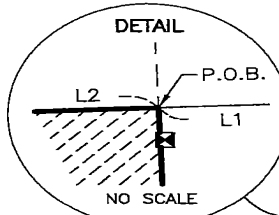
COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 14
 SECTION 17 TOWNSHIP 89 NORTH RANGE 5 WEST
 ROW-FEE _____ AC, EASE 0.02 +/- AC EXCESS-FEE _____ AC
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ MAIN LINE _____ SIDE
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ SIDE ROAD _____ SIDE
 ACQUIRED FROM _____



LINE	BEARING	DISTANCE
L1	S 87°49'20" W (N 86°08'01" E)	33.00'
L2	N 87°49'20" E (N 86°08'01" E)	17.02'

PART OF THE NW1/4 NW1/4
SEC. 17, T89N, R5W

NE CORNER NW1/4 NW1/4
SEC. 17, T89N, R5W
FOUND PK NAIL



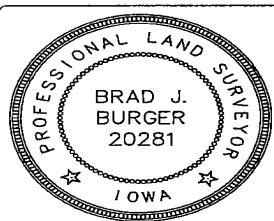
PARCEL A
PART OF THE W1/2 NW1/4
IN SEC. 17, T89N, R5W
PLAT BOOK 7, PAGE 119

LEGEND

- FD. R.O.W. RAIL
- FD. 1/2" IRON ROD WITH NO CAP
- PERMANENT EASEMENT
- SECTION LINE AND OR 1/4 OR 1/4 1/4 SECTION LINE
- CENTERLINE
- R.O.W. LINE RECORDED AS
- P.O.B. POINT OF BEGINNING

IOWA HIGHWAY #13
 C PER PROJECT NO.
 NHSN-013-2(43)--2R-28
 C BEARING: N 01°55'20" W

SE CORNER SW1/4 NW1/4
SEC. 17, T89N, R5W
FD. CUT X IN CONCRETE



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

SCALE: 1" = 50'

