

Recorded: 8/3/2023 at 3:42:23.0 PM
County Recording Fee: \$42.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$45.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 1833



Prepared by & Return To: Carrie Crabtree, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-233-7753

AMENDMENT TO MANURE APPLICATION AGREEMENT

That Dianne K. Foust (Grantor) 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 1465 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 SW $\frac{1}{4}$ of the NW Fr $\frac{1}{4}$ and the NW Fr $\frac{1}{4}$ of the NW Fr $\frac{1}{4}$, all in Section Five, Township Eighty-nine North, Range Five West of the 5th P.M., Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "1 of 3", 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 Five (5), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa; thence South 89° 49' 33" East 68.82 feet along the South line of the SW $\frac{1}{4}$ of the NW Fr $\frac{1}{4}$ of said Section Five (5); thence North 01° 38' 28" East 33.01 feet to the intersection of the existing Easterly right of way line of Iowa Highway 13 with the existing Northerly right of way line of 165th Street; thence North 01° 38' 28" East 240.56 feet along said existing Easterly right of way line of Iowa Highway 13 to the Point of Beginning; thence continuing along said existing Easterly right of way line North 01° 38' 28" East 1372.00 feet; thence South 00° 04' 56" East 276.13 feet; thence South 01° 35' 14" West 721.00 feet; thence South 00° 05' 17" West 254.10 feet; thence South 09° 06' 50" West 122.03 feet to the Point of Beginning, containing 0.26 acres more or less.

Note: The South line of the SW $\frac{1}{4}$ of the NW Fr $\frac{1}{4}$ of Section Five (5), Township Eighty-nine North (T89N), Range Five West (R5W), of the Fifth (5th) Principal Meridian, Delaware County, Iowa is assumed to bear South 89° 49' 33" East.

And,

A parcel of land located in the NW Fr $\frac{1}{4}$ of the NW Fr $\frac{1}{4}$ of Section Five, Township Eighty-nine North, Range Five West of the 5th P.M, Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "A2 of 2", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the W ¼ corner of Section Five (5), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa; thence South 89° 49' 33" East 68.82 feet along the South line of the NW Fr. ¼ of said Section Five (5); thence North 01° 38' 28" East 33.01 feet to the intersection of the existing Easterly right of way line of Iowa Highway 13 with the existing Northerly right of way line of 165th Street; thence North 01° 38' 28" East 1910.56 feet along said existing Easterly right of way line of Iowa Highway 13 to the Point of Beginning; thence continuing along said existing Easterly right of way line North 01° 38' 28" East 296.00 feet; thence South 04° 02' 23" East 127.63 feet; thence South 00° 55' 56" West 78.01 feet; thence South 10° 08' 29" West 92.00 feet to the Point of Beginning, containing 0.06 acres more or less.

Note: The South line of the NW Fr. ¼ of Section Five (5), Township Eighty-nine North (T89N), Range Five West (R5W), of the Fifth (5th) Principal Meridian, Delaware County, Iowa is assumed to bear South 89° 49' 33" East.

And,

A parcel of land located in SW¼ of the NW Fr. ¼ of Section Five, Township Eighty-nine North, Range Five West of the 5th P.M., Delaware County, Iowa, as shown on the Acquisition Plat Exhibit "1 of 3", attached hereto and by reference made a part hereof and more particularly described as follows:

Commencing at the W ¼ corner of Section Five (5), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, Delaware County, Iowa; thence South 89° 49' 33" East 68.82 feet along the South line of the Southwest Quarter (SW1/4) of the NW Fr. ¼ of said Section Five (5); thence North 01° 38' 28" East 33.01 feet to the Point of Beginning, corner also being at the intersection of the existing Easterly right of way line of Iowa Highway 13 with the existing Northerly right of way line of 165th Street; thence North 01° 38' 28" East 49.19 feet along said existing Easterly right of way line of Iowa Highway 13; thence South 16° 59' 52" East 23.05 feet; thence South 63° 05' 52" East 60.36 feet to said existing Northerly right of way line of 165th Street; thence North 89° 49' 33" West 61.97 feet along said existing Northerly right of way line to the Point of Beginning, containing 0.02 acres more or less.

Note: The South line of the SW ¼ of the NW Fr. ¼ of Section Five (5), Township Eighty-nine North (T89N), Range Five West (R5W) of the Fifth (5th) Principal Meridian, 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 June 13, 2023

GRANTOR:

Dianne K. Foust
Diane K. Foust
Dianne
df

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on June 13, 2023, by Diane K. Foust.



[Signature]
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

GRANTORS' AGENT:

John G. Hoffmann
John G. Hoffmann

STATE OF Iowa, COUNTY OF Delaware, ss:

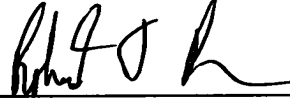
This instrument was acknowledged before me on June 13, 2023 by John G. Hoffmann.



[Signature]
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

GRANTEES:



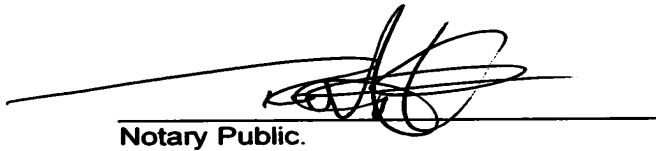
Robert J. Ries



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 "A1 OF 2"



COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 30
 SECTION 5 TOWNSHIP 89 NORTH RANGE 5 WEST
 ROW-FEE _____ AC, EASE 0.26 +/- AC EXCESS-FEE _____ AC
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ MAIN LINE _____ SIDE
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ SIDE ROAD _____ SIDE
 ACQUIRED FROM _____



IOWA HIGHWAY #13
 ☉ PER PROJECT NO.
 NHSN-013-2(43)--2R-28
 ☉ BEARING: N 01°40'00" E

LEGEND

- 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

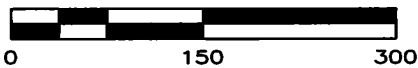
LINE	BEARING	DISTANCE
L1	S 89°49'33" E	68.82'
L2	N 01°38'28" E	33.01'
L3	N 01°38'28" E	240.56'
L4	S 00°04'56" E	276.13'
L5	S 00°05'17" W	254.10'
L6	S 09°06'50" W	122.03'

ACREAGE SUMMARY TABLE

PARCEL A OF PARCEL 30	NW FRL.1/4 NW FRL.1/4 SEC. 5, T89N, R5W	SW1/4 NW FRL.1/4 SEC. 5, T89N, R5W
	ACRES	ACRES
	0.03 +/-	0.23 +/-

DATE DRAWN: 8/12/2022
 DATE REVISED: 5/31/2023

SCALE: 1" = 150'

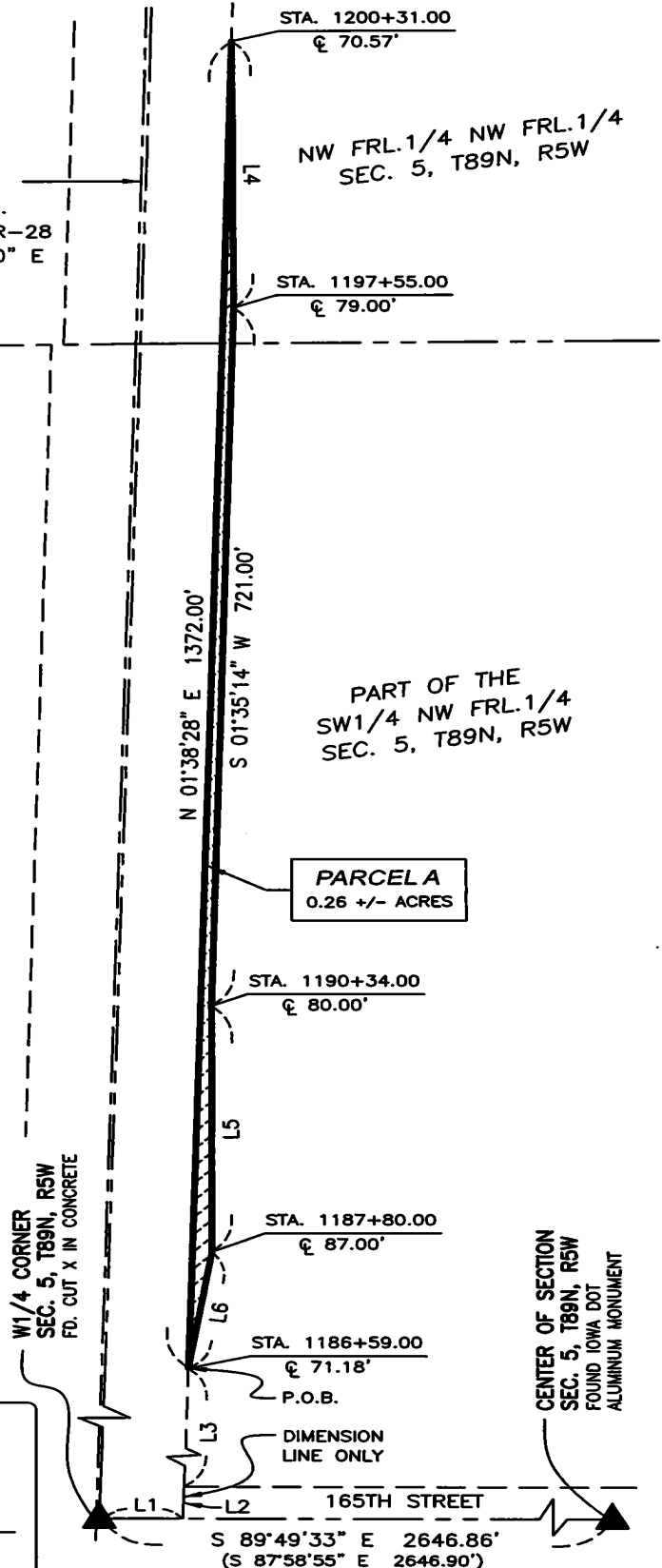


I hereby certify that this land surveying document was prepared and the related survey work was performed by me or under my direct personal supervision and that I am a duly licensed Land Surveyor under the laws of the State of Iowa.

Brad J. Burger 5/31/2023
 BRAD J. BURGER LICENSE NO. 20281 DATE

My license renewal date is December 31, 2024

Pages or sheets covered by this seal: This page only

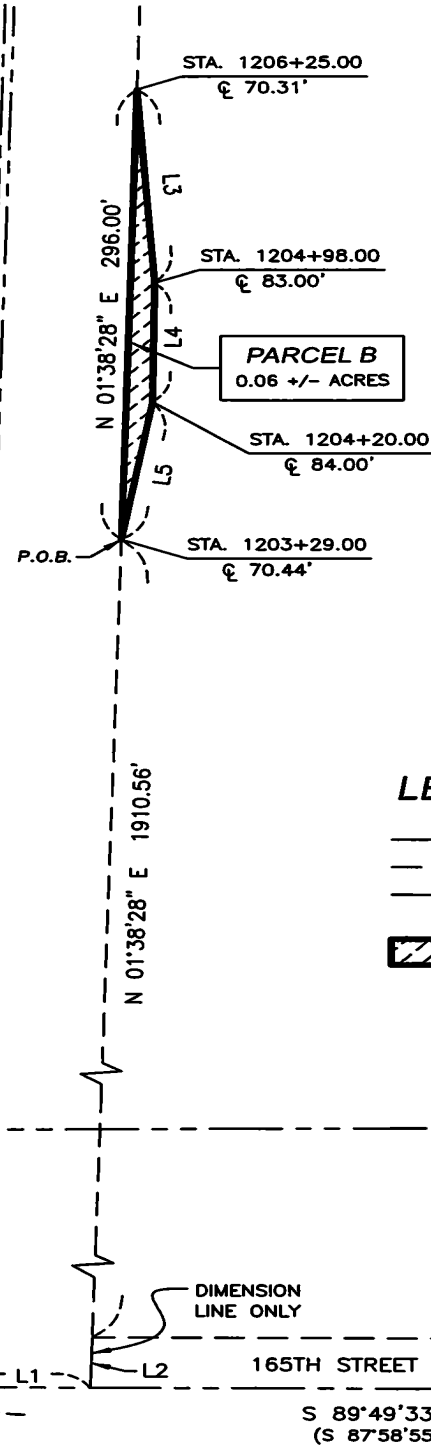


Iowa Department of Transportation

ACQUISITION PLAT
EXHIBIT "A2 OF 2"



COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 30
 SECTION 5 TOWNSHIP 89 NORTH RANGE 5 WEST
 ROW-FEE _____ AC, EASE 0.06 +/- 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 89°49'33" E	68.82'
L2	N 01°38'28" E	33.01'
L3	S 04°02'23" E	127.63'
L4	S 00°55'56" W	78.01'
L5	S 10°08'29" W	92.00'

NW FRL. 1/4 NW FRL. 1/4
SEC. 5, T89N, R5W

IOWA HIGHWAY #13
 ☉ PER PROJECT NO.
 NHSN-013-2(43)--2R-28
 ☉ BEARING: N 01°40'00" E

LEGEND

- 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

W1/4 CORNER
 SEC. 5, T89N, R5W
 FD. CUT X IN CONCRETE

CENTER OF SECTION
 SEC. 5, T89N, R5W
 FOUND IOWA DOT
 ALUMINUM MONUMENT

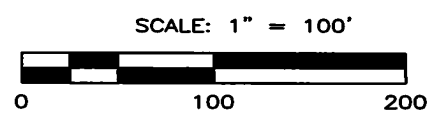
165TH STREET
 S 89°49'33" E 2646.86'
 (S 87°58'55" E 2646.90')



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 5/31/2023
 BRAD J. BURGER LICENSE NO. 20281 DATE
 My license renewal date is December 31, 2024
 Pages or sheets covered by this seal: This page only

DATE DRAWN: 8/12/2022
 DATE REVISED: 5/31/2023



Iowa Department of Transportation

ACQUISITION PLAT EXHIBIT "A"

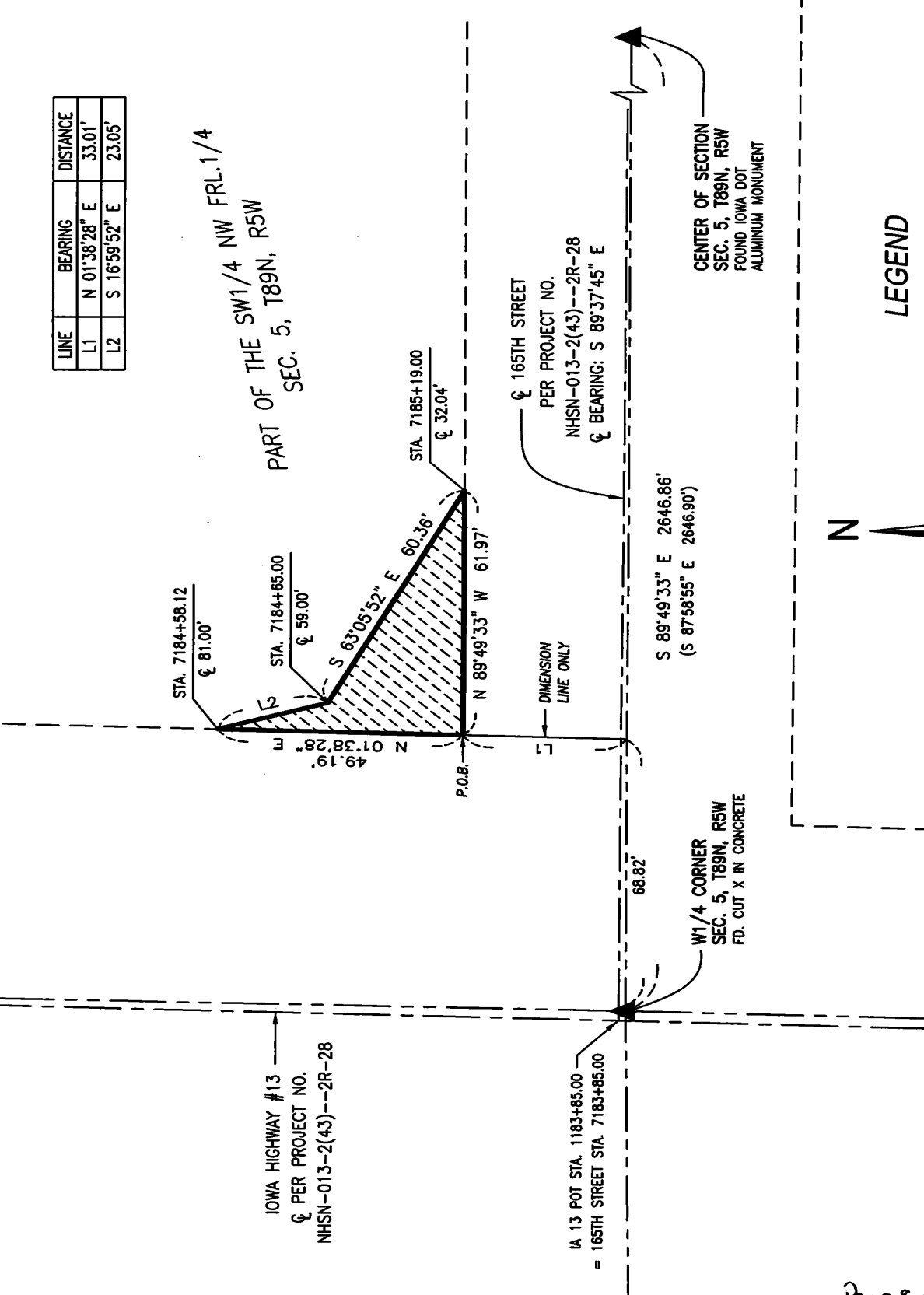


COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 30
 SECTION 5 TOWNSHIP 89 NORTH RANGE 5 WEST
 ROW-FEE _____ AC, EASE * 0.02 +/- AC EXCESS-FEE _____ AC
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ MAIN LINE _____ SIDE _____
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ SIDE ROAD _____ SIDE _____
 ACQUIRED FROM _____

* ACQUIRED IN THE NAME OF DELAWARE COUNTY

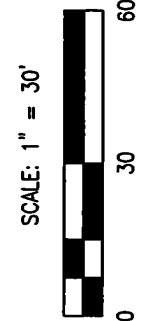
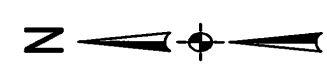
LINE	BEARING	DISTANCE
L1	N 01°38'28" E	33.01'
L2	S 16°59'52" E	23.05'

PART OF THE SW 1/4 NW FRL. 1/4
 SEC. 5, T89N, R5W



LEGEND

- 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



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 8/12/2022
 BRAD J. BURGER LICENSE NO. 20281 DATE
 My license renewal date is December 31, 2022.

Pages or sheets covered by this set: _____ This page only _____