Recorded: 8/3/2023 at 3:42:23.0 PM

County Recording Fee: \$42.00 lowa 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, lowa:

A parcel of land located in the SW¼ of the NW Frl.¼ and the NW Frl ¼ of the NW Frl.¼, 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 1/2 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 SW1/4 of the NW Frl. 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 Beginning, containing 0.26 acres

Note: The South line of the SW¼ of the NW Frl.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 the NW Frl.¼ of the NW Frl.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 "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 Frl. 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 Frl.¼ of Section Five (5), Township Eightynine 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 Frl.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 Frl. 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 Frl. 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.

(AFFIX NOTARIAL SEAL ABOVE ▲)

GRANTORS' AGENT:

STATE OF TOWA , COUNTY OF DERWOVE, SS:

TOM HERRICK COMMISSION NO. 762691 MY COMMISSION EXPIRES

Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

GRANTEES:

Robert J. Ries

lenhifet I Ries

STATE OF JOWA, COUNTY OF Delaware, ss:

TOM HERRICK COMMISSION NO. 762691 MY COMMISSION EXPIRES

Notary Public.

(AFFIX NOTARIAL SEAL ABOVE lacktriangle)

Iowa Department of Transportation ACQUISITION PLAT



DELAWARE	
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 ACCESS RIGHTS ACQUIRED - STA STA MAIN LINE ACCESS RIGHTS ACQUIRED - STA STA SIDE ROAD ACQUIRED FROM NHSN-013-2(43)-2R-28 STA SIDE ROAD ROW FRL 1/4 NW FR SEC. 5, T89N, R Q PER PROJECT NO. NHSN-013-2(43)-2R-28 SEC. 5, T89N, R Q PER PROJECT NO. NHSN-013-2(43)-2R-28 SEC. 5, T89N, R RECORDED AS POINT OF BEGINNING LIS 89'49'33' E 66.82' LINE BEARING DISTANCE LI S 89'49'33' E 66.82' LI LI S 89'49'33' E 66.82'	
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or under my direct personal supervision and that I am a duty ficensed Land Surveyor under the laws of the State of lowa. BRAD J. BURGER 20281 BRAD J. BURGER UICENSE NO. 20281	
Bus 5/31/2023 Brad J. Bus 5/31/2023 BRAD J. BURGER LICENSE NO. 20281 DATE S 89°49'33" E 2646.86'	
BRAD J. BURGER LICENSE NO. 20281 DATE 5 89 49 33 E 2646.86 My license renewal date is December 31, 2024 (S 87'58'55" E 2646.90')	
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Iowa Department of Transportation

ACQUISITION PLAT EXHIBIT "A2 OF 2"



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Iowa Department of Transportation

ACQUISITION PLAT EXHIBIT "A"



