

Recorded: 8/22/2023 at 8:47:33.0 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: 1998



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 THIRTY FOUR THOUSAND SIX HUNDRED FIVE AND NO/100— (\$34,605.00)——DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **RL KLEIN, LLC**, a limited liability company organized and existing under the laws of the State of Iowa, does 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 SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, all in Section 8, Township 89 North, Range 5 West of the 5th 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 Northwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8, Township 89 North, Range 5 West of the 5th P.M., Delaware County, Iowa; thence North 89°27'28" East 54.33 feet along the North line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 8 to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence continuing along the North line of said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ North 89°27'28" East 28.14 feet; thence South 03°41'19" West 371.43 feet; thence South 01°00'31" West 403.08 feet; thence South 03°36'14" West 275.09 feet; thence South 00°08'41" East 100.08 feet; thence South 10°06'56" West 50.49 feet; thence South 00°57'41" East 350.52 feet; thence South 03°51'51" West 200.09 feet; thence South 02°12'01" East 250.72 feet; thence South 04°56'41" West 450.54 feet; thence South 00°18'17" East 242.94 feet to the existing Northerly right of way line of 180th Street; thence South 88°13'07" West 37.21 feet along said existing Northerly right of way line to the existing Easterly right of way line of Iowa Highway 13; thence North 02°09'33" East 2693.24 feet along said existing Easterly right of way line to the Point of Beginning, containing 1.77 acres more or less.

Note: The North line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8, Township 89 North, Range 5 West, of the 5th P.M., Delaware County, Iowa is assumed to bear North 89°27'28" East.

This easement is given in fulfillment of a certain Purchase Agreement dated July 13, 2023, and recorded in the Delaware County Recorder's Office on July 17, 2023, at Book 2023, Page 1645, except for those terms that survive the execution of this document.

The additional amount of \$ 13,987.00, 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.

Grantor does hereby covenant with grantees, and successors in interest, that it holds the real estate by title in fee simple; that it has good and lawful authority to grant an easement on the real estate; and it covenants to warrant and defend the real estate against the lawful claims of all persons except as may be above stated.

Grantor hereby states that the person(s) executing this instrument is duly authorized by the grantor and has the legal capacity to execute this instrument.

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, 2023

RL KLEIN, LLC

By: Ronald L. Klein (Sign in Ink)
Ronald L. Klein, Manager

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on June 14, 2023, by Ronald L. Klein as Manager of RL Klein, LLC.

Winnie Mae Vernon (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)



Iowa Department of Transportation

ACQUISITION PLAT EXHIBIT "A"



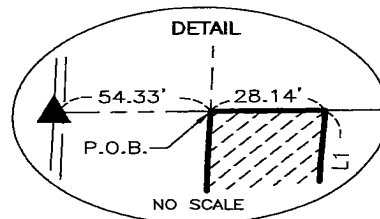
COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 16
 SECTION 8 TOWNSHIP 89 NORTH RANGE 5 WEST
 ROW-FEE _____ AC, EASE 1.77 +/- AC EXCESS-FEE _____ AC
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ MAIN LINE _____ SIDE
 ACCESS RIGHTS ACQUIRED - STA _____ STA _____ SIDE ROAD _____ SIDE
 ACQUIRED FROM _____

LINE	BEARING	DISTANCE
L1	S 03°41'19" W	371.43'
L2	S 01°00'31" W	403.08'
L3	S 03°36'14" W	275.09'
L4	S 00°08'41" E	100.08'
L5	S 10°06'56" W	50.49'
L6	S 00°57'41" E	350.52'
L7	S 03°51'51" W	200.09'
L8	S 02°12'01" E	250.72'
L9	S 04°56'41" W	450.54'
L10	S 00°18'17" E	242.94'
L11	S 88°13'07" W	37.21'

NW CORNER NE1/4 SW1/4
 SEC. 8, T89N, R5W
 FD. CUT X IN CONCRETE

N 89°27'28" E 1323.88'
 (N 89°15'58" E 1323.86')

CENTER OF SECTION
 SEC. 8, T89N, R5W
 FD. GRANITE STONE



IOWA HIGHWAY #13
 ☉ PER PROJECT NO.
 NHSN-013-2(43)--2R-28
 ☉ BEARING: N 02°08'45" E

SW CORNER NE1/4 SW1/4
 SEC. 8, T89N, R5W
 FD. CUT X IN CONCRETE

☉ CURVE DATA:	
PC:	1097+14.63
PT:	1101+21.47
L:	406.84'
R:	5730.00'
Δ:	04°04'05"
CH BRG:	N 00°06'43" E
CH:	406.76'

PT STA. 1101+21.47

SW CORNER SE1/4 SW1/4
 SEC. 8, T89N, R5W
 FOUND PK NAIL

NE1/4 SW1/4
 SEC. 8, T89N, R5W

SE1/4 SW1/4
 SEC. 8, T89N, R5W

LEGEND

- PERMANENT EASEMENT
- SECTION LINE AND OR 1/4 OR 1/4 1/4 SECTION LINE
- CENTERLINE
- R.O.W. LINE
- () RECORDED AS POINT OF BEGINNING

S1/4 CORNER
 SEC. 8, T89N, R5W
 FD. 1/2" IRON ROD W/
 ORANGE CAP #17939

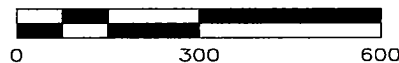
180TH STREET

N 88°13'07" E 1326.54'

ACREAGE SUMMARY TABLE

PARCEL	SE1/4 SW1/4 SEC. 8, T89N, R5W	NE1/4 SW1/4 SEC. 8, T89N, R5W
	ACRES	ACRES
16	1.07 +/-	0.70 +/-

SCALE: 1" = 300'



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 7/28/2022
 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