

Recorded: 8/24/2023 at 12:06:51.0 PM
County Recording Fee: \$22.00
Iowa E-Filing Fee: \$3.00
Combined Fee: \$25.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 2036



Prepared by & Return To: Stacia L. Turner, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-239-1269
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 ONE THOUSAND FIVE HUNDRED SIXTY AND NO/100-----(\$31,560.00)-----DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **KENNETH J. HAHN and LINDA L. HAHN, 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:

Parcel A

A parcel of land located in the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) and in the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$), all in Section Seventeen (17), Township Ninety North (T90N), Range Five West (R5W) of the of the Fifth P. M., Delaware County, Iowa, also being part of Parcel A as recorded in Book 2001, Page 1221 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 Southwest corner of Section Seventeen (17), Township Ninety North (T90N), Range Five West (R5W) of the of the Fifth P. M., Delaware County, Iowa; thence North 02° 10' 35" East 1328.48 feet along the West line of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Seventeen (17) to the Southwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section Seventeen (17); thence North 87° 06' 47" East 44.73 feet along the South line of said Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence North 02° 14' 20" East 1954.04 feet along said existing Easterly right of way line to the South line of Parcel A as recorded in Book 2001, Page 1221 in the Office of the Delaware County Recorder; thence continuing along said existing Easterly right of way line and the South line of said Parcel A North 87° 41' 33" West 13.69 feet to the Southwest corner of said Parcel A; thence continuing along said existing Easterly right of way line and the West line of said Parcel A North 02° 10' 35" East 47.94 feet; thence South 33° 06' 41" East 18.39 feet; thence South 08° 35' 50" East 212.79 feet; thence South 05° 54' 50" West 249.51 feet; thence South 12° 46' 52" East 169.80 feet; thence South 08° 57' 54" West 375.59 feet; thence South 06° 02' 03" East 229.39 feet; thence South 10° 50' 11" West 207.33 feet; thence South 04° 06' 10" East 289.77 feet; thence South 05° 38' 51" West 268.98 feet to the South line of said Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$); thence South 87° 06' 47" West 39.11 feet along the South line of said Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) to the Point of Beginning, containing 1.71 acres more or less.

Note: The West line of the Southwest Quarter (SW $\frac{1}{4}$) of Section Seventeen (17), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) P. M., Delaware County, Iowa is assumed to bear North 02° 10' 35" East.

and

Parcel B

A parcel of land located in the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Seventeen (17) , Township Ninety North (T90N) , Range Five West (R5W) of the of the Fifth P. M., Delaware County, Iowa, also being part of Parcel A as recorded in Book 2001, Page 1221 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 West Quarter (W $\frac{1}{4}$) corner of Section Seventeen (17), Township Ninety North (T90N) , Range Five West (R5W) of the of the Fifth P. M., Delaware County, Iowa; thence North 02° 10' 35" East 1331.16 feet along the West line and to the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of said Section Seventeen (17); thence North 86° 42' 47" East 57.72 feet along the North line of said Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) 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 Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) North 86° 42' 47" East 38.06 feet; thence South 10° 11' 49" West 231.09 feet; thence South 07° 39' 24" East 87.30 feet; thence South 08° 59' 12" West 177.78 feet to a West line of Parcel A as recorded in Book 2001, Page 1221 in the Office of the Delaware County Recorder and said existing Easterly right of way line of Iowa Highway 13; thence North 02° 14' 20" East 487.75 feet along said existing Easterly right of way line to the Point of Beginning, containing 0.18 acres more or less.

Note: The West line of the Southwest Quarter (SW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section Seventeen (17), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) P. M., Delaware County, Iowa is assumed to bear North 02° 10' 35" East.

This easement is given in fulfillment of a certain Purchase Agreement dated July 3, 2023, and recorded in the Delaware County Recorder's Office on July 14, 2023, at Book 2023, Page 1619, except for those terms that survive the execution of this document.

The additional amount of \$11,034.00, 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 5, 2023.

Kenneth J. Hahn (Sign in Ink)
KENNETH J. HAHN

Linda L. Hahn (Sign in Ink)
LINDA L. HAHN

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on June 5, 2023, by Kenneth J. Hahn and Linda L. Hahn.



Zach D. Engstrom (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. 52
 SECTION 17 TOWNSHIP 90 NORTH RANGE 5 WEST
 ROW-FEE _____ AC ±, EASE 1.89 AC ±, EXCESS-FEE _____ AC ±
 ACQUIRED FROM KENNETH J. HAHN and LINDA L. HAHN, HUSBAND AND WIFE

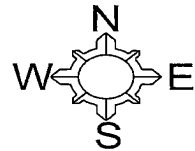
LOCATION	NEW R.O.W.
SW 1/4 NW 1/4 "A"	0.63 AC. ±
PARCEL "A" OF THE SW 1/4 NW 1/4	0.02 AC. ±
THE NW 1/4 SW 1/4	1.24 AC. ±
TOTAL	1.89 AC. ±

COURSE	BEARING	DISTANCE
A	N 02° 10' 35" E	1331.16'
B	N 86° 42' 47" E	57.72'
C	N 86° 42' 47" E	38.06'
D	S 10° 11' 49" W	231.09'
E	S 07° 39' 24" E	87.30'
F	S 08° 59' 12" W	177.78'
G	N 02° 14' 20" E	487.75'
H	N 87° 06' 47" E	44.73'
I	N 02° 14' 20" E	1954.04'
J	N 87° 41' 33" W	13.69'
K	N 02° 10' 35" E	47.94'
L	S 33° 06' 41" E	18.39'
M	S 08° 35' 50" E	212.79'
N	S 05° 54' 50" W	249.51'
O	S 12° 46' 52" E	169.80'
P	S 08° 57' 54" W	375.59'
Q	S 06° 02' 03" E	229.39'
R	S 10° 50' 11" W	207.33'
S	S 04° 06' 10" E	289.77'
T	S 05° 38' 51" W	268.98'
U	S 87° 06' 47" W	39.11'

COURSE	BEARING	DISTANCE
POT 1369+76.42		
TO	N 02° 14' 14" E	5348.15'
P.C. 1423+24.57		

POINT	STATION	OFFSET
T2145	1409+72.86	97.00'
T2159	1404+81.45	59.11'
T2167	1383+11.49	88.00'
T2168	1407+44.00	65.00'
T2169	1406+58.00	80.00'
T2170	1403+10.00	35.36'
T2171	1402+95.00	46.00'
T2172	1400+86.00	86.00'
T2173	1398+37.00	70.00'
T2174	1396+73.00	114.00'
T2175	1393+00.00	70.00'
T2176	1390+73.00	103.00'
T2177	1388+68.00	72.00'
T2178	1385+80.00	104.00'

R.O.W. STATIONS/OFFSETS ARE PERPENDICULAR TO PROJECT CENTERLINE

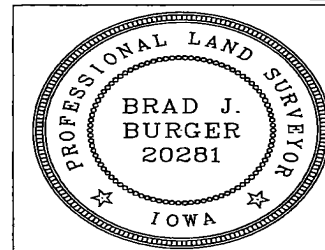
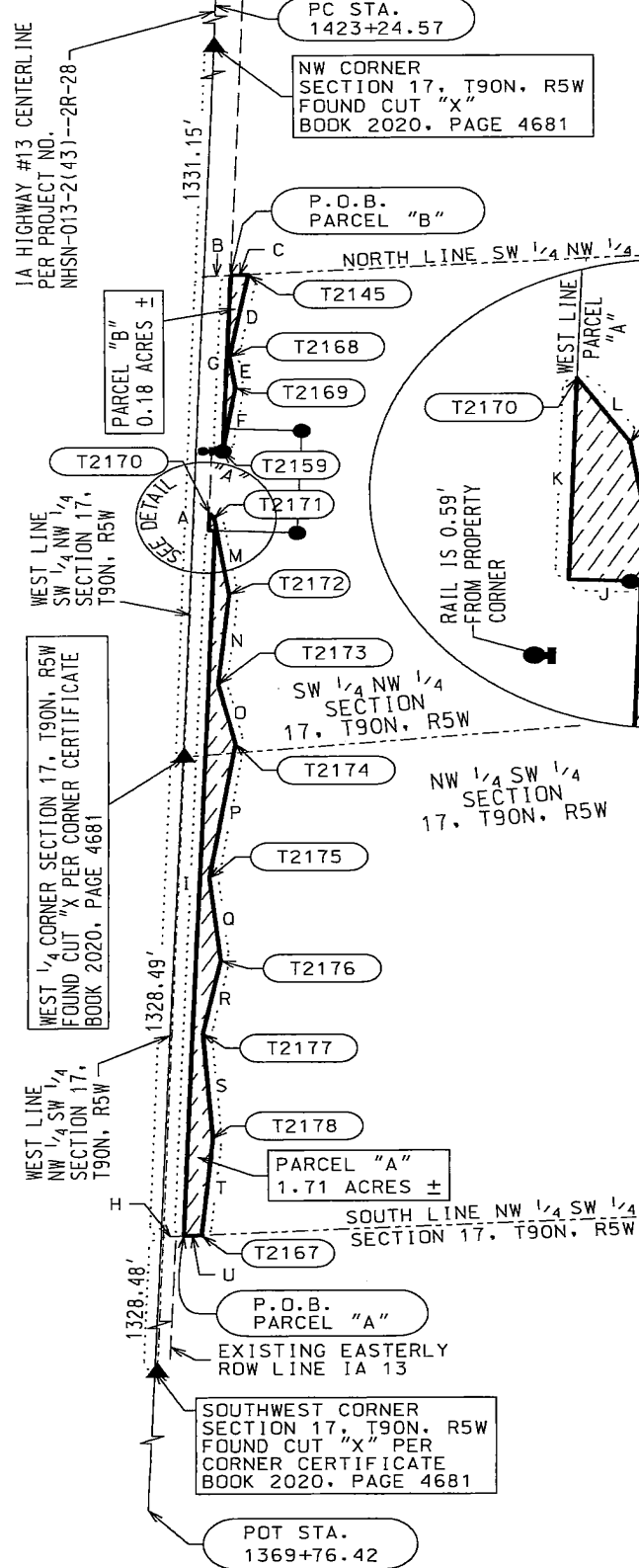


LEGEND

- R.O.W. LINE
- - - SECTION LINE AND OR 1/4 SECTION LINE
- FOUND R.O.W. RAIL
- FOUND 1/2" REBAR W/ORANGE CAP STAMPED "8419"
- FOUND 1/2" REBAR W/NO CAP
- () RECORDED AS
- P.O.B. POINT OF BEGINNING
- ▨ PERMANENT EASEMENT

1" = 400'

DATE DRAWN: 6/01/2022 DCF



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

Brad J. Burger 8/18/2022
 Brad J. Burger Date
 License number 20281
 My license renewal date is December 31, 2022
 Pages or Sheets covered by this seal: Sheet 1 of 1