

Recorded: 8/28/2023 at 2:04:18.0 PM  
County Recording Fee: \$27.00  
Iowa E-Filing Fee: \$3.00  
Combined Fee: \$30.00  
Revenue Tax:  
Delaware County, Iowa  
Daneen Schindler RECORDER  
BK: 2023 PG: 2073



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 TWO THOUSAND TWO HUNDRED THIRTY-EIGHT AND NO/100-----(\$32,238.00)-----DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **DELORES F. STELKEN, A SINGLE PERSON** and **BRAD W. CLAUSON and SHERRI L. CLAUSON, 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 Southwest Quarter (SW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) and the Northwest Quarter (NW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ), all in Section Twenty (20), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) 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 Southwest Quarter (SW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section Twenty (20), Township Ninety North (T90N), Range Five West (R5W) of the Fifth (5<sup>th</sup>) P. M., Delaware County, Iowa; thence North 87° 27' 39" East 56.83 feet along the North line of the Southwest Quarter (SW $\frac{1}{4}$ ) of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section Twenty (20) 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 87° 27' 39" East 66.96 feet; thence South 13° 03' 33" West 222.66 feet; thence South 00° 50' 31" West 559.06 feet; thence South 02° 57' 38" East 235.77 feet; thence South 07° 32' 04" West 351.85 feet; thence South 05° 25' 58" East 234.80 feet; thence South 03° 04' 09" West 692.21 feet; thence South 01° 18' 53" East 250.34 feet; thence South 09° 32' 41" West 109.37 feet to the South line of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of said Section Twenty (20); thence South 85° 55' 27" West 23.81 feet along the South line of said Northwest Quarter (NW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) to said existing Easterly right of way line of Iowa Highway 13; thence North 01° 39' 35" East 2643.08 feet along said existing Easterly right of way line to the Point of Beginning, containing 1.99 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 Twenty (20), Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5<sup>th</sup>) Principal Meridian, Delaware County, Iowa is assumed to bear North 01° 53' 37" 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 13, 2023, at Book 2023, Page 1615, except for those terms that survive the execution of this document.

The additional amount of \$1,194.00, 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.

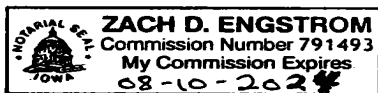
Words and phrases herein, including acknowledgment hereof, shall be construed as in the singular or plural number, and as masculine or feminine gender, according to the context.

Dated June 7, 2023.

Delores F. Stelken (Sign in Ink)  
DELORES F. STELKEN

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on June 7, 2023, by Delores F. Stelken.



Zach D. Engstrom (Sign in Ink)  
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

Brad W Clauson (Sign in Ink)  
BRAD W. CLAUSON

Sherri L Clauson (Sign in Ink)  
SHERRI L. CLAUSON

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on June 7, 2023,  
by Brad W. Clauson and Sherri L. Clauson.



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. 46  
 SECTION 20 TOWNSHIP 90 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC ±, EASE 1.99 AC ±, EXCESS-FEE \_\_\_\_\_ AC ±  
 ACQUIRED FROM DELORES F. STELKEN, A SINGLE PERSON and BRAD W. CLAUSON and SHERRI L. CLAUSON, HUSBAND AND WIFE,

LOCATION	NEW R.O.W.
SW 1/4 NW 1/4	1.02 AC. ±
NW 1/4 SW 1/4	0.97 AC. ±
<b>TOTAL</b>	<b>1.99 AC. ±</b>

POINT	STATION	OFFSET
T2251	1356+62.27	126.00'
T2309	1330+16.66	83.00'
T2310	1331+25.00	98.00'
T2311	1333+75.00	85.00'
T2312	1340+67.00	102.00'
T2313	1343+00.00	73.00'
T2314	1346+50.00	109.00'
T2315	1348+85.00	90.00'
T2316	1354+44.00	82.00'

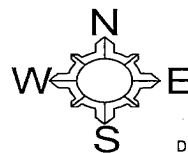
R.O.W. STATIONS/OFFSETS  
ARE PERPENDICULAR  
TO PROJECT C

COURSE	BEARING	DISTANCE
A	N 87° 27' 39" E	56.83'
B	N 87° 27' 39" E	66.96'
C	S 13° 03' 33" W	222.66'
D	S 00° 50' 31" W	559.06'
E	S 02° 57' 38" E	235.77'
F	S 07° 32' 04" W	351.85'
G	S 05° 25' 58" E	234.80'
H	S 03° 04' 09" W	692.21'
I	S 01° 18' 53" E	250.34'
J	S 09° 32' 41" W	109.37'
K	S 85° 55' 27" W	23.81'
L	N 01° 39' 35" E	2643.08'

COURSE	BEARING	DISTANCE
STA 1316+79.88 TO STA 1367+77.12	N 01° 39' 43" E	5097.24'

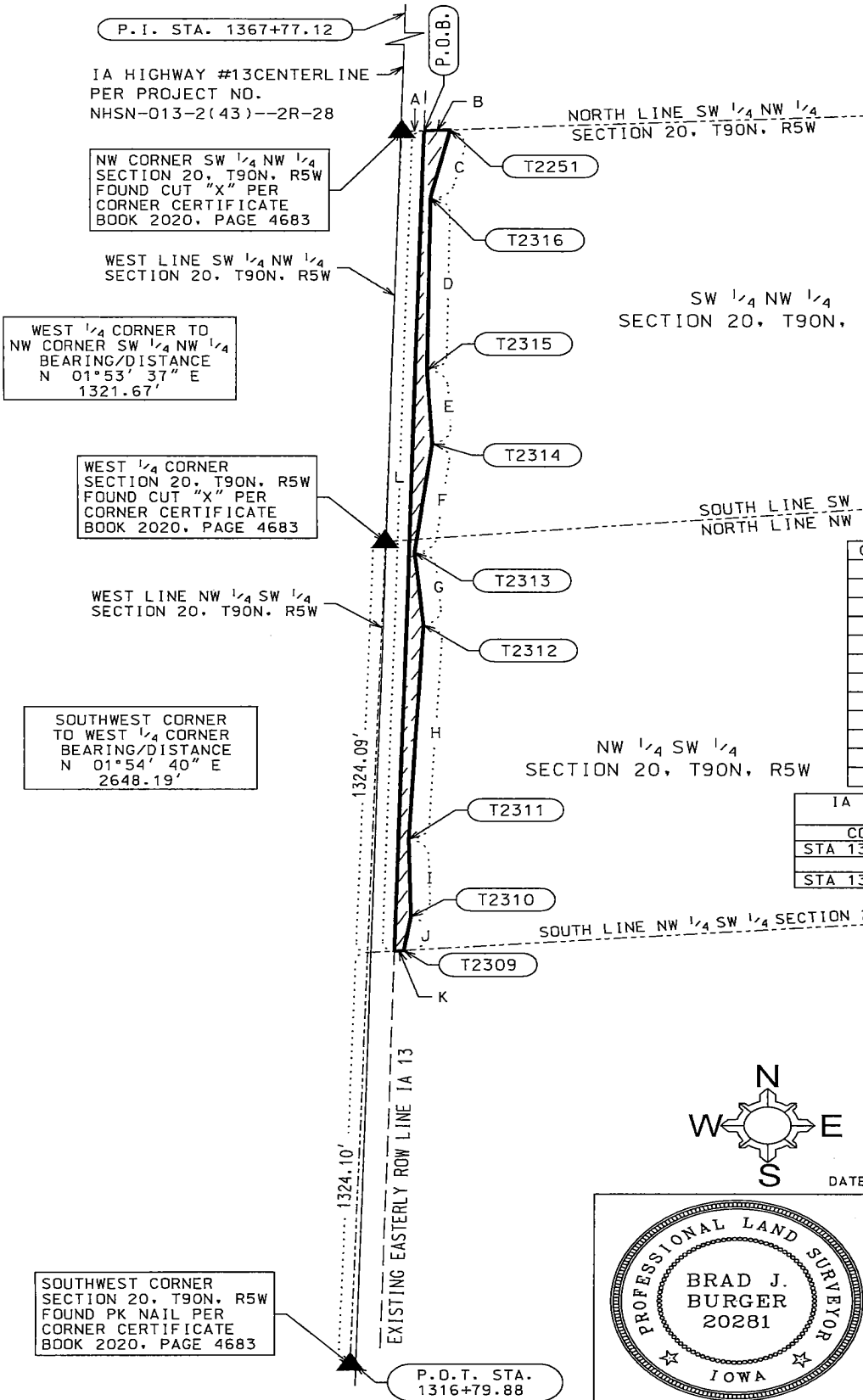
**LEGEND**

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



DATE DRAWN: 5/26/2022 DCF

1" = 400'



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* 8/11/2022  
 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