

Recorded: 9/7/2023 at 10:12:09.0 AM
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: 2196



Prepared by & Return To: Carrie Crabtree, Right of Way Bureau, 800 Lincoln Way, Ames, IA 50010, 515-233-7753
Address Tax Statements: Tax Exempt-IA Code Sec. 427.2 Delaware County Engineer's Office, 2139 Highway 38,
Manchester, IA 52057

TRUSTEE EASEMENT FOR PUBLIC HIGHWAY (Inter Vivos Trust)

For the consideration of One hundred eighty-five AND
NO/100—(\$ 185.00)—DOLLARS and other valuable consideration in
hand paid by Iowa Department of Transportation, **DAVID R. WILHELM, TRUSTEE OF THE**
DAVID R. WILHELM REVOCABLE LIVING TRUST, does hereby grant to **DELAWARE**
COUNTY, 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 NW¼ of the NW¼ of Section Thirty-two (32),
Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th)
Principal Meridian, 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 Section Thirty-two (32), Township
Ninety North (T90N), Range Five West (R5W), of the Fifth (5th) Principal
Meridian, Delaware County, Iowa; thence North 84° 47' 07" East 142.49 feet
along the North line of the NW¼ of the NW¼ of said Section Thirty-two (32);
thence South 05° 12' 53" East 67.07 feet to the existing Southerly right of
way line of County Road C64 and the Point of Beginning; thence South 64°
48' 08" West 55.75 feet to the existing Easterly Right-of-Way line of Iowa
Highway 13; thence North 00° 47' 22" East 19.08 feet along said existing
Easterly right of way line to said existing Southerly right of way line of County
Road C64; thence North 84° 42' 15" East 50.39 feet along said existing
Southerly right of way line to the Point of Beginning, containing 0.01 acres
more or less.

Note: The North line of the NW¼ of the NW¼ of Section Thirty-two (32),
Township Ninety North (T90N), Range Five West (R5W), of the Fifth (5th)
Principal Meridian, Delaware County, Iowa is assumed to bear North 84° 47'
07" East.

This easement, and a certain Easement to the State of Iowa, executed by the above named grantor, is given in fulfillment of a certain Purchase Agreement dated July 17, 2023, and recorded in the Delaware County Recorder's Office on July 19, 2023, at Book 2023, Page 1675, as Document No. _____, except for those terms that survive the execution of this document.

The additional amount of \$ _____, 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.

The grantor further warrants to the grantee all of the following: That the trust pursuant to which the transfer is made is duly executed and in existence; that to the knowledge of the grantor the person creating the trust was under no disability or infirmity at the time the trust was created; that the transfer by the trustee to the grantee is effective and rightful; and that the trustee knows of no facts or legal claims which might impair the validity of the trust or the validity of the transfer.

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

Dated June 21, 2023

David R. Wilhelm Revocable Living Trust

By [Signature] FW 3/4 (Sign in Ink)
David R. Wilhelm, Trustee

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on June 21, 2023,
by David R. Wilhelm as Trustee of the above-entitled trust.



[Signature] (Sign in Ink)
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

CAVEAT: The trustee/grantor should consult with their lawyer concerning the trustee's personal liability arising out of the warranties contained herein.

Iowa Department of Transportation
ACQUISITION PLAT
EXHIBIT "A"



COUNTY DELAWARE STATE CONTROL NO. _____
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 38
 SECTION 32 TOWNSHIP 90 NORTH RANGE 5 WEST
 ROW-FEE _____ AC ±, EASE *0.01 AC ±, EXCESS-FEE _____ AC ±
 ACQUIRED FROM _____

PARCEL 38 ACREAGE SUMMARY TABLE SECTION 32, T90N, R5W	
LOCATION	*NEW R.O.W.
NW 1/4 NW 1/4	0.01 AC. ±
TOTAL	0.01 AC. ±
*ACQUIRED IN THE NAME OF DELAWARE COUNTY	

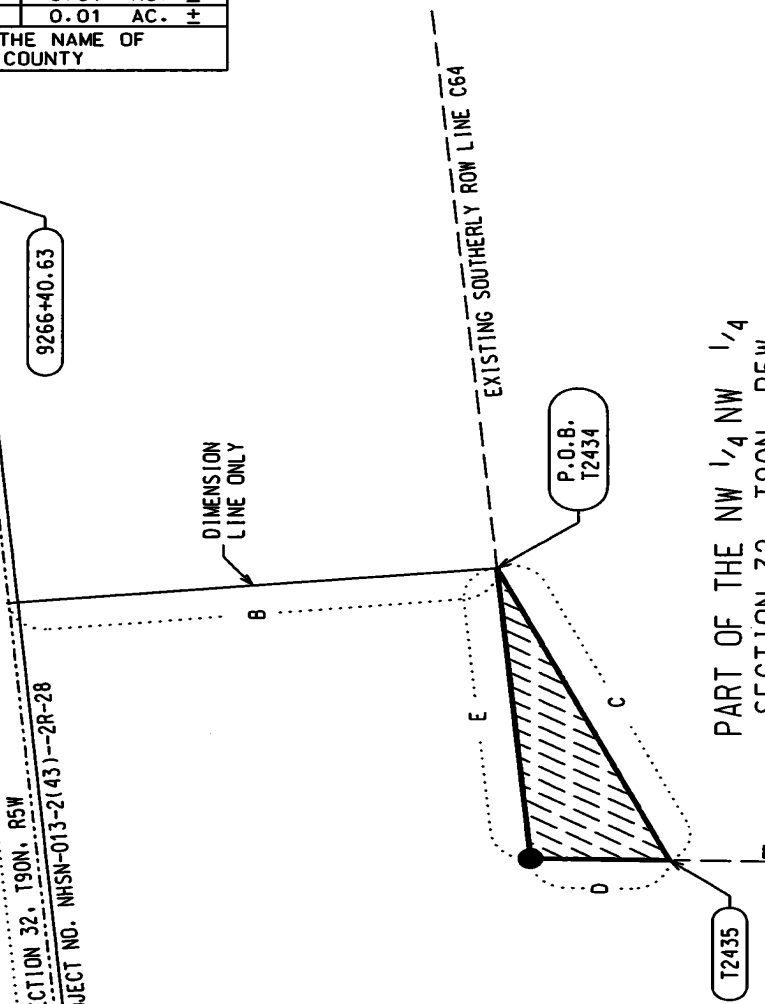
COUNTY ROAD C64 DATA FOR PROJECT NO. NHSN-013-2(43)--24-28		
COURSE	BEARING	DISTANCE
9263+76.23		
TO	N 84° 52' 27" E	264.40'
9266+40.63		

1" = 25'
DATE DRAWN: 7/18/2022_DCE

NE CORNER NW 1/4 NW 1/4
SECTION 32 T90N, R5W
FOUND MAG NAIL W/WASHER
PER CORNER CERTIFICATE
BOOK 2019, PAGE 3323

NW CORNER TO
NE CORNER NW 1/4 NW 1/4
BEARING/DISTANCE
N 84° 47' 07" E
1390.21' (1390.21')

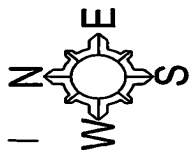
NORTHWEST CORNER
SECTION 32 T90N, R5W
FOUND CUT "X" PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4687



PART OF THE NW 1/4 NW 1/4
SECTION 32, T90N, R5W

LEGEND

- FOUND 3/8" REBAR W/ADOT ALUMINUM CAP
- R.O.W. LINE
- - - - SECTION LINE AND OR 1/4 SECTION LINE
- () RECORDED AS
- P.O.B. POINT OF BEGINNING
- ▨ PERMANENT EASEMENT



STATION/OFFSET NEW R.O.W. ACQUISITION		
POINT	STATION	OFFSET
T2434	9265+10.00	65.87'
T2435	9264+57.64	85.00'
R.O.W. STATIONS/OFFSETS ARE PERPENDICULAR TO PROJECT C		

COURSE	BEARING	DISTANCE
A	N 84° 47' 07" E	142.49'
B	S 05° 12' 53" E	67.07'
C	S 64° 48' 08" W	55.75'
D	N 00° 47' 22" E	19.08'
E	N 84° 42' 15" E	50.39'

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