

Recorded: 9/7/2023 at 10:12:10.0 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: 2197



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 Iowa DOT, ROW-Property Management, 800 Lincoln Way, Ames, IA 50010

TRUSTEE EASEMENT FOR PUBLIC HIGHWAY **(Inter Vivos Trust)**

For the consideration of Five hundred fifty-five AND
NO/100—(\$ 555.00)—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 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 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 South 00° 43' 32" West 427.29 feet
along the West line of the NW¼ of the NW¼ of said Section Thirty-two (32)
to the Northwesterly corner of Parcel A as recorded in Book 7, Page 152 in
the office of the Delaware County Recorder; thence South 58° 00' 34" East
92.32 feet along the Northerly line of said Parcel A to the existing Easterly
right of way line of Iowa Highway 13 and the Point of Beginning; thence North
00° 45' 35" East 116.29 feet along said existing Easterly right of way line;
thence continuing along said existing Easterly right of way line South 57° 36'
50" East 22.57 feet; thence South 07° 55' 00" West 108.74 feet to the
Northerly line of said Parcel A; thence North 58° 00' 34" West 6.64 feet along
the Northerly line of said Parcel A to the Point of Beginning, containing 0.03
acres, more or less

Note: The West 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 South 00° 43'
32" West.

This easement, and a certain Easement to Delaware County, 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  (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.



 (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 0.03 AC ±, EXCESS-FEE _____ AC ±
 ACQUIRED FROM _____

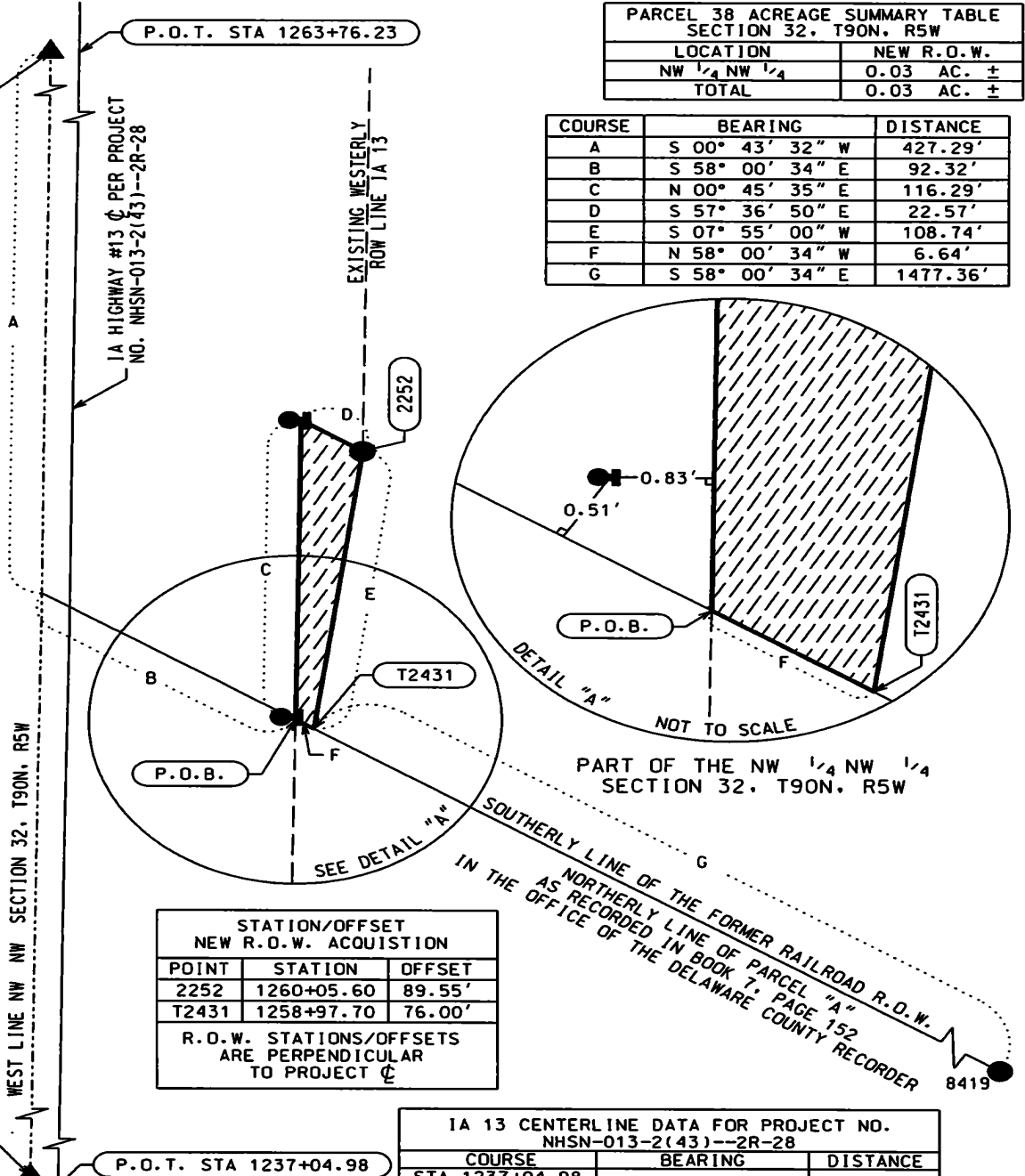
LOCATION	NEW R.O.W.
NW 1/4 NW 1/4	0.03 AC. ±
TOTAL	0.03 AC. ±

COURSE	BEARING	DISTANCE
A	S 00° 43' 32" W	427.29'
B	S 58° 00' 34" E	92.32'
C	N 00° 45' 35" E	116.29'
D	S 57° 36' 50" E	22.57'
E	S 07° 55' 00" W	108.74'
F	N 58° 00' 34" W	6.64'
G	S 58° 00' 34" E	1477.36'

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

NW CORNER TO
SW CORNER NW 1/4 NW 1/4
BEARING/DISTANCE
S 00° 43' 32" W
1334.80' (1334.80')

SW CORNER NW 1/4 NW 1/4
SECTION 32, T90N, R5W
FOUND CUT "X" PER
CORNER CERTIFICATE
BOOK 2020, PAGE 4687

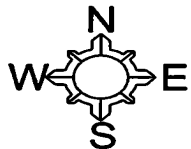


STATION/OFFSET NEW R.O.W. ACQUISITION		
POINT	STATION	OFFSET
2252	1260+05.60	89.55'
T2431	1258+97.70	76.00'

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

COURSE	BEARING	DISTANCE
STA 1237+04.98 TO STA 1263+76.23	N 00° 45' 37" E	2671.25'

- LEGEND**
- FOUND 1/2" REBAR W/ORANGE CAP #8419
 - FOUND 5/8" REBAR W/IADDT ALUMINUM CAP
 - FOUND ROW RAIL
 - SECTION LINE AND OR 1/4 SECTION LINE
 - P.O.B. POINT OF BEGINNING
 - () RECORDED AS
 - R.O.W. LINE
 - ▨ PERMANENT EASEMENT



1" = 50'

DATE DRAWN: 7/18/2022 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 8/17/2022
 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