

Recorded: 9/13/2023 at 9:10:01.0 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: 2242



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 FIFTEEN THOUSAND THREE HUNDRED SEVENTY AND NO/100----(\$15,370.00)----DOLLARS and other valuable consideration in hand paid by Iowa Department of Transportation, **GARY J. LYNCH AND MARY J. LYNCH a/k/a MARY JANE LYNCH**, 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 SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 8, Township 89 North, Range 5 West of the 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 Southwest corner of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 8, Township 89 North, Range 5 West of the 5<sup>th</sup> P.M., Delaware County, Iowa; thence North 89°27'28" East 54.33 feet along the South line of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 8 to the existing Easterly right of way line of Iowa Highway 13 and the Point of Beginning; thence North 02°09'33" East 625.35 feet along said existing Easterly right of way line; thence continuing along said existing Easterly right of way line and along a circular curve concave Westerly for an arc length of 230.05 feet, said circular curve having a central angle of 08°53'40", a radius of 1481.90 feet, a chord bearing of North 02°17'17" West and a chord length of 229.82 feet; thence continuing along said existing Easterly right of way line North 02°22'49" East 28.18 feet to the South line of Parcel D in said Section 8 as recorded in Book 2011, Page 2515 in the Office of the Delaware County Recorder; thence South 89°18'54" East 25.26 feet along the South line of said Parcel D; thence South 07°42'12" East 220.97 feet; thence South 02°58'18" East 163.21 feet; thence South 08°13'29" West 387.18 feet; thence South 02°15'50" East 117.05 feet to the South line of said SE $\frac{1}{4}$  of the NW $\frac{1}{4}$ ; thence South 89°27'28" West 28.14 feet along the South line of said SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  to the Point of Beginning, containing 0.78 acres more or less.

**Note:** The South line of the SE $\frac{1}{4}$  of the NW $\frac{1}{4}$  of Section 8, Township 89 North, Range 5 West, of the 5<sup>th</sup> 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 August 17, 2023, and recorded in the Delaware County Recorder's Office on August 21, 2023, at Book 2023, Page 1964, except for those terms that survive the execution of this document.

The additional amount of \$ 0.00, 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.

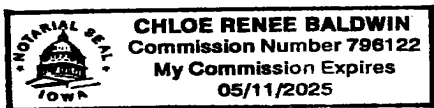
Dated July 5, 2023

Gary J. Lynch (Sign in Ink)  
Gary J. Lynch

Mary J. Lynch (Sign in Ink)  
Mary J. Lynch

STATE OF Iowa, COUNTY OF Delaware, ss:

This instrument was acknowledged before me on July 5, 2023, by Gary J. Lynch and Mary J. Lynch.



Chloe R. Baldwin (Sign in Ink)  
Notary Public.

(AFFIX NOTARIAL SEAL ABOVE ▲)

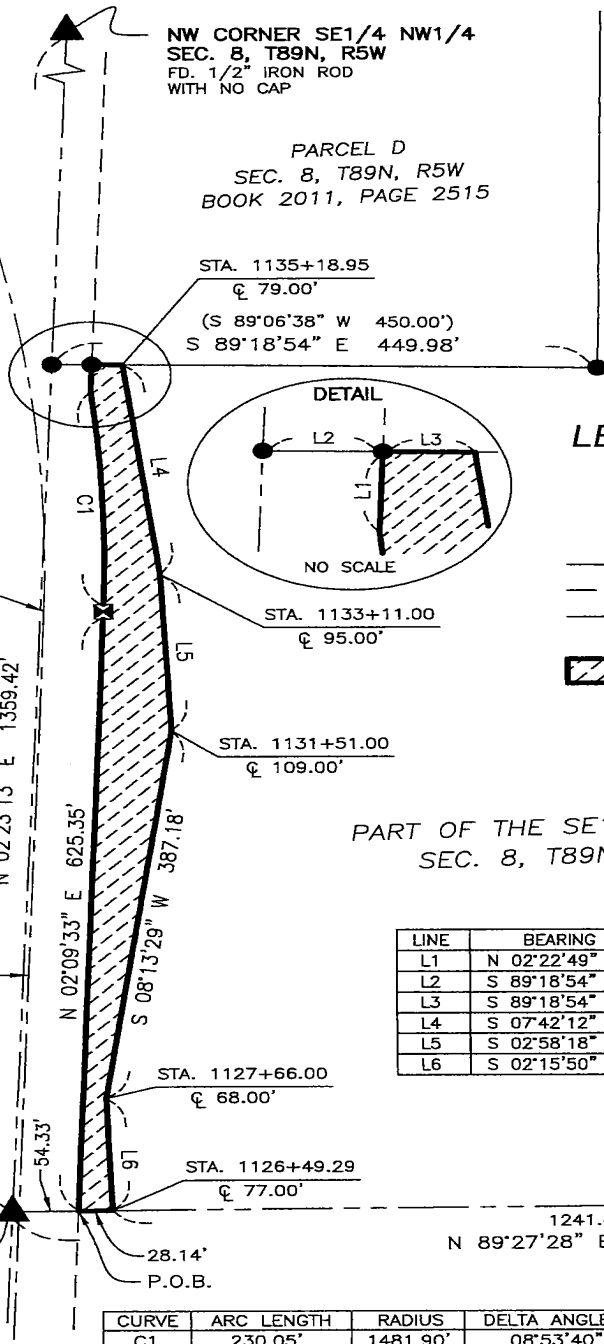
# Iowa Department of Transportation

ACQUISITION PLAT  
EXHIBIT "A"



COUNTY DELAWARE STATE CONTROL NO. \_\_\_\_\_  
 ROW PROJECT NO. NHSN-013-2(43)--2R-28 PARCEL NO. 20  
 SECTION 8 TOWNSHIP 89 NORTH RANGE 5 WEST  
 ROW-FEE \_\_\_\_\_ AC, EASE 0.78 +/- AC EXCESS-FEE \_\_\_\_\_ AC  
 ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ MAIN LINE \_\_\_\_\_ SIDE \_\_\_\_\_  
 ACCESS RIGHTS ACQUIRED - STA \_\_\_\_\_ STA \_\_\_\_\_ SIDE ROAD \_\_\_\_\_ SIDE \_\_\_\_\_  
 ACQUIRED FROM \_\_\_\_\_

**☉ CURVE DATA:**  
 PC: 1132+72.27  
 PT: 1142+84.89  
 L: 1012.62'  
 R: 1432.50'  
 Δ: 40°30'06"  
 CH BRG: N 18°06'18" W  
 CH: 991.67'



### LEGEND

- FD. 1/2" IRON ROD W/ ORANGE CAP #17939
- ☒ FD. R.O.W. RAIL
- CENTERLINE
- - - R.O.W. LINE
- - - SECTION LINE AND OR 1/4 OR 1/4 1/4 SECTION LINE
- PERMANENT EASEMENT
- ( ) RECORDED AS P.O.B.
- POINT OF BEGINNING

PART OF THE SE1/4 NW1/4  
SEC. 8, T89N, R5W

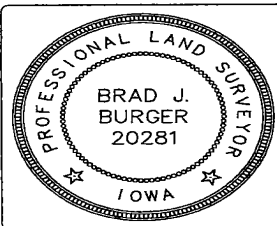
LINE	BEARING	DISTANCE
L1	N 02°22'49" E	28.18'
L2	S 89°18'54" E	33.05'
L3	S 89°18'54" E	25.26'
L4	S 07°42'12" E	220.97'
L5	S 02°58'18" E	163.21'
L6	S 02°15'50" E	117.05'

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

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

SW CORNER SE1/4 NW1/4  
SEC. 8, T89N, R5W  
FD. CUT X IN CONCRETE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	230.05'	1481.90'	08°53'40"	N 02°17'17" W	229.82'



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* 7/22/2022  
 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

